

TOMAS E. MARGAIN, Bar No. 193555
 HUY TRAN, Bar No. 288196
 Justice at Work Law Group
 84 West Santa Clara Street, Suite 790
 San Jose, CA 95113
 Telephone: (408) 317-1100
 Facsimile: (408) 351-0105
 Tomas@JAWLawGroup.com
 Huy@JAWLawGroup.com

Attorneys for Plaintiffs
 SERGIO AGUILA-REYNOSO

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

SERGIO AGUILA-REYNOSO,
 Plaintiff,
 v.
 BLOSSOM VALLEY CONSTRUCTION,
 INC.,
 Defendant

Case No. 16-cv-3372-HRL

**NOTICE OF DISMISSAL WITH
 PREJUDICE; REQUEST THAT MATTER
 BE DISMISSED AND THAT CLERK
 CLOSE FILE; ~~PROPOSED~~ ORDER**

Re: Dkt. 17

TO THE COURT AND ALL PARTIES TO THIS ACTION:

NOTICE IS HEREBY given that Plaintiff SERGIO AGUILA-REYNOSO hereby requests that Defendant BLOSSOM VALLEY CONSTRUCTION, INC be Dismissed with prejudice. This notice is accompanied by the declaration of counsel and proposed order.

1 Dated: November 17, 2016

2
3 //s//Tomas E. Margain//s//

4 Tomas E. Margain

5 Huy Tran

6 JUSTICE AT WORK LAW GROUP

7 Attorneys for Plaintiff

8 SERGIO AGUILA-REYNOSO

9
10 **DECLARATION OF TOMAS E. MARGAIN**

11 I, Tomas E. Margain, declare as follows:

12 1. I am the attorney of record for Plaintiff SERGIO AGUILA-REYNOSO in this case. I
13 have personal knowledge of the facts set forth in this declaration, and, if called as a witness, I could
14 and would testify thereto.

15 2. After being sued, Defendants hired Frank J. Perretta of Miller, Morton, Caillat &
16 Nevis, LLP. I was able to settle my client's dispute over the course of several negotiations
17 conferences with Mr. Perretta.

18 3. The matter was settled prior to Defendants entering an appearance and as such I
19 cannot submit a stipulation and order to Dismiss with prejudice.

20 4. I have the authority of my client to have this case Dismissed with Prejudice.

21 I declare under penalty of perjury pursuant to the laws of the United States that the foregoing
22 is true and correct, executed on November 17, 2016 in San Jose, California.

23 //s// Tomas Margain

24 Tomas E. Margain

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION
4

5 SERGIO AGUILA-REYNOSO,

6 Plaintiff,

7 v.

8 BLOSSOM VALLEY CONSTRUCTION,
9 INC.,

10 Defendant

Case No. 16-cv-3372-HRL

**ORDER DISMISSING CASE WITH
PREJUDICE**

11 **ORDER**

12 Based on GOOD CAUSE shown and upon the Notice and Declaration of Plaintiff's
13 counsel Tomas E. Margain, the Court orders as follows:

14 The matter is Dismissed with Prejudice. All calendared dates are hereby vacated and
15 the Clerk is directed to close the file.
16

17 **IT IS SO ORDERED.**

18
19 DATED: November 17, 2016

By:

20 
21 THE HONORABLE HOWARD E. LLOYD
22 Magistrate Judge
23
24
25
26
27
28