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 9 SOHRAB EZAZ



10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN JOSE DIVISION

13 SOHRAB EZAZ,

14 Plaintiff,

15 v.

16 BAYVIEW LOAN SERVICING, LLC; AND  
 17 DOES 1 THROUGH 10 INCLUSIVE,

18 Defendant(s).

Case No.: 5:17-cv-00821-EJD

[The Honorable Edward J Davila]

NOTICE OF VOLUNTARY DISMISSAL  
 OF ACTION WITH PREJUDICE

[Fed. R. of Civ. P. 41(a)(1)(A)(i)]

19 TO THE HONORABLE JUDGE EDWARD J. DAVILA: Plaintiff SOHRAB EZAZ, by  
 20 and through his attorney of record, respectfully submits this Notice of Voluntary Dismissal of  
 21 Action with prejudice pursuant to FRCP Rule 41(a)(1)(A)(i). Rule 41(a)(1)(A) allows dismissal  
 22 of an action without order of the court before the opposing party serves either an answer or a  
 23 motion for summary judgment. See Commercial Space Mgmt. Co., Inc. v. Boeing Co., Inc. (9th  
 24 Cir. 1999) 193 F.3d 1074, 1077.

25 Defendant BAYVIEW LOAN SERVICING, LLC, has neither answered Plaintiff's  
 26 complaint, nor filed a motion for summary judgment. WHEREFORE, Plaintiff hereby dismisses  
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1 this case with prejudice pursuant to Rule 41(a)(1)(A).

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Respectfully submitted,

4 Dated: **August 28, 2017**

FARSAD LAW OFFICE, P.C.

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By:       /s/ Arasto Farsad      

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Arasto Farsad  
FARSAD LAW OFFICE, P.C.  
Attorney for Plaintiff

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1 **CERTIFICATE OF SERVICE**

2 I, Marc Light, declare that I am over the age of 18 and am not a party to this action. I am  
3 employed in the City of Santa Clara, California; my business address is 2905 Stender Way, Suite  
4 76, Santa Clara, CA 95054. On the date below, I served a copy of the foregoing document  
5 entitled: Notice of Voluntary Dismissal of Action with Prejudice, on the interested parties in  
6 said case as follows:

7 **Served Via USPS Mail (First Class):**

8 BAYVIEW LOAN SERVICING, LLC  
9 c/o Malcolm & Cisneros  
10 William G. Malcolm, Esq.  
11 Charlie Nunley, Esq.  
12 2112 Business Center Drive  
13 Irvine CA 92612  
14 (Counsel for Defendant)

15 I declare under penalty of perjury under the laws of the United States of America that  
16 the foregoing is true and correct. I declare that I am employed in the office of a member of the  
17 Bar of this Court, at whose direction the service was made. This declaration is executed in  
18 Santa Clara, California on August 28, 2017

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Marc Light

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/s/ Marc Light