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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

STEVEN SCHUSSLER and SCHUSSLER
CREATIVE, INC., et al.,

vs.

J. FRANK WEBSTER,

Plaintiffs,

Defendant.

CASE NO. 07cv2016 IEG (AGB)

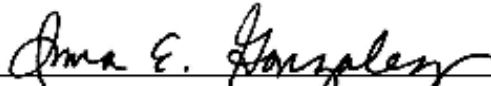
**ORDER GRANTING
VOLUNTARY DISMISSAL
WITHOUT PREJUDICE**

[Doc. No. 71.]

On March 9, 2009, the Court entered an amended declaratory judgment in favor of Plaintiffs, and granted Plaintiffs' motion for a permanent injunction consistent with the declaratory judgment. (Doc. No. 70.) Presently before the court is Plaintiffs' notice of voluntary dismissal of the remaining claims (Counts I-IV) of the complaint pursuant to Fed. R. Civ. P. 41(a)(2). (Doc. No. 71.) Defendant does not oppose the motion.¹ The Court accordingly finds good cause and GRANTS Plaintiffs' motion to dismiss this matter without prejudice, with each party to bear its own fees and costs.

IT IS SO ORDERED.

DATED: April 30, 2009



IRMA E. GONZALEZ, Chief Judge
United States District Court

¹ On April 13, 2009 Defendant filed a "Statement of Non-Opposition to Plaintiffs' Motion for Voluntary Dismissal of Defendant's Counterclaim." (Doc. No. 73.) However, Plaintiff has not filed a motion for dismissal of Defendant's counterclaim. In fact, no counterclaim has been filed in this case. The Court therefore construes Defendant's Statement of Non-Opposition as a response to Plaintiff's Notice of Voluntary Dismissal of Counts I-IV of the complaint.