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5 Attorneys for Plaintiff National Contractors  
 6 Insurance Company, Inc., a Risk Retention Group

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 8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA, SOUTHERN DIVISION**

10  
 11 NATIONAL CONTRACTORS  
 INSURANCE COMPANY, INC., A  
 12 RISK RETENTION GROUP,

13 Plaintiff,

14 vs.

15 FRANK FALCO et al,

16 Defendants.

Case No. CV-10-730-PMP

DISMISSAL OF ACTION  
 PURSUANT TO FRCP 41(a)(1)(A)  
 [No Court Order Required Because  
 No Defendant Has Appeared]

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 18 Plaintiff National Contractors Insurance Company, Inc., a Risk Retention  
 19 Group (“NCIC”), the only party which has appeared in this action, pursuant to  
 20 FRCP 41(a)(1)(A) hereby dismisses this action, in its entirety, as follows:

21 1. The Court has previously entered the default of most of the defendants  
 22 in this action. No defendant has appeared in this action.

23 2. NCIC subsequently entered into a confidential settlement agreement  
 24 with most of the defendants.

25 WHEREFORE, NCIC hereby dismisses the action without prejudice as to  
 26 defendant Terra Cotta Construction Services, Inc., each party to bear its own costs.

27 WHEREFORE, NCIC hereby dismisses the action with prejudice as to all  
 28 other defendants.

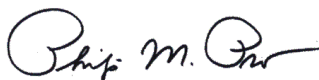
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DATED: May 18, 2010      BUCHALTER NEMER  
A Professional Corporation

By: \_\_\_\_\_  
STEVEN BROWER  
Attorneys for Plaintiff  
National Contractors Insurance Company, Inc.,  
a Risk Retention Group

IT IS SO ORDERED.

The Status Hearing set for 2/6/2012 at 11:30 a.m. is VACATED.



\_\_\_\_\_  
PHILIP M. PRO  
UNITED STATES DISTRICT JUDGE

Dated: February 1, 2012.