

CIV-110

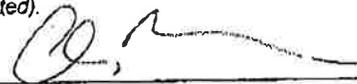
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Christopher M. Martin, State Bar No. 186021 THE CHANLER GROUP 2560 Ninth Street, Suite 214 Berkeley, CA 94710 TELEPHONE NO.: (510) 848-8880 FAX NO. (Optional): (510) 848-8118 E-MAIL ADDRESS (Optional): chris@chanler.com ATTORNEY FOR (Name): Plaintiff, Anthony E. Held, Ph.D., P.E.	FOR COURT USE ONLY  <h1 style="text-align: center;">FILED</h1> <p style="text-align: center;">OCT 16 2012</p> <p style="text-align: center;">KIM TURNER, Court Executive Officer          MARIN COUNTY SUPERIOR COURT          By: J. Chen, Deputy</p>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Marin STREET ADDRESS: 3501 Civic Center Drive MAILING ADDRESS: CITY AND ZIP CODE: San Rafael 94903 BRANCH NAME: Unlimited Civil	CASE NUMBER: <p style="text-align: center;">CIV1201544</p>
PLAINTIFF/PETITIONER: Anthony E. Held, Ph.D., P.E. DEFENDANT/RESPONDENT: MBM Industries, Inc., et al.	
<p style="text-align: center;"><b>REQUEST FOR DISMISSAL</b></p> <input type="checkbox"/> Personal Injury, Property Damage, or Wrongful Death <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <input type="checkbox"/> Family Law <input type="checkbox"/> Eminent Domain <input checked="" type="checkbox"/> Other (specify): Health and Safety Code § 25249.6 et seq. (Prop 65)	
<p style="text-align: center;">- A conformed copy will not be returned by the clerk unless a method of return is provided with the document. -</p>	

1. TO THE CLERK: Please dismiss this action as follows:
- a. (1)  With prejudice (2)  Without prejudice
- b. (1)  Complaint (2)  Petition  
 (3)  Cross-complaint filed by (name):  
 (4)  Cross-complaint filed by (name):  
 (5)  Entire action of all parties and all causes of action  
 (6)  Other (specify):"

on (date):  
 on (date):

2. (Complete in all cases except family law cases.)  
 Court fees and costs were waived for a party in this case. (This information may be obtained from the clerk. If this box is checked, the declaration on the back of this form must be completed).

Date: October 10, 2012  
 Christopher M. Martin  
 (TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)  
 \*If dismissal requested in of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

  
 (SIGNATURE)  
 Attorney or party without attorney for:  
 Plaintiff/Petitioner  Defendant/Respondent  
 Cross-Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.\*\*  
 Date:

(TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)  
 \*\* If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581 (i) or (j).

(SIGNATURE)  
 Attorney or party without attorney for:  
 Plaintiff/Petitioner  Defendant/Respondent  
 Cross-Complainant

- (To be completed by clerk)
4.  Dismissal entered as requested on (date): **OCT 16 2012**
5.  Dismissal entered on (date): as to only (name):
6.  Dismissal not entered as requested for the following reasons (specify):
7. a.  Attorney or party without attorney notified on (date):  
 b.  Attorney or party without attorney not notified. Filing party failed to provide  
 a copy to be conformed  means to return conformed copy

  
 KIM TURNER  
 J. CHEN

Date: **OCT 16 2012** Clerk, by \_\_\_\_\_ Deputy  
 Form Adopted for Mandatory Use Judicial Council of California CIV-110 (Rev. July 1, 2009) **REQUEST FOR DISMISSAL** Code of Civil Procedure, § 581 et seq. Gov. Code, § 69637(a); Cal. Rules of Court, rule 3.1340 www.courtinfo.ca.gov

PLAINTIFF/PETITIONER: Anthony E. Held, Ph.D., P.E. DEFENDANT/RESPONDENT: MBM Industries, Inc., et al.	CASE NUMBER: CIV1201544
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**Declaration Concerning Waived Court Fees**

The court has a statutory lien for waived fees and costs on any recovery of \$10,000 or more in value by settlement, compromise, arbitration award, mediation settlement, or other recovery. The court's lien must be paid before the court will dismiss the case.

1. The court waived fees and costs in this action for *(name)*:
2. The person in item 1 *(check one)*:
  - a.  is not recovering anything of value by this action.
  - b.  is recovering less than \$10,000 in value by this action.
  - c.  is recovering \$10,000 or more in value by this action. *(If item 2c is checked, item 3 must be completed.)*
3.  All court fees and costs that were waived in this action have been paid to the court *(check one)*:  Yes  No

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF  ATTORNEY  PARTY MAKING DECLARATION)

\_\_\_\_\_  
 (SIGNATURE)

1 **PROOF OF SERVICE**

2 I am employed in the County of Alameda, State of California. I am a citizen of the United  
3 States, over the age of 18 years, and not a party to the within action. My business address is 2560  
4 Ninth Street, Parker Plaza, Suite 214, Berkeley, California 94710-2565.

5 On October 16, 2012, I caused to be served the following document(s), described as,

6 **REQUEST FOR DISMISSAL**

7 on each interested party as follows:

8 Bruce Nye, Esq.  
9 Adams Nye Becht LLP  
10 222 Kearny Street, Seventh Floor  
11 San Francisco, CA 94108  
12 *Attorneys for MBM Industries, Inc.*

13 XXXXX (BY MAIL) I placed a true and correct copy of the foregoing document(s) in a sealed  
14 envelope addressed to each interested party as set forth above. I placed each such envelope, with  
15 postage thereon fully prepaid, for collection and mailing at The Chanler Group, located in Berkeley,  
16 California. I am readily familiar with The Chanler Group's practice for collection and processing of  
17 documents for mailing with the United States Postal Service. Under that practice, the documents  
18 are deposited with the United States Postal Service on the same day in the ordinary course of  
19 business.

20 Executed this 16th day of October, 2012, at Berkeley, California. I declare under the  
21 penalty of perjury under the laws of the State of California that the foregoing is true and correct.

22 

23 \_\_\_\_\_  
24 Allison Carr