

FOR COURT USE ONLY
FILED

ALAMEDA COUNTY

MAR 26 2013

CLERK OF THE SUPERIOR COURT

BY Esther Coleman DEPUTY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Brian C. Johnson, State Bar No. 235965
THE CHANLER GROUP
2560 Ninth Street, Parker Plaza, Suite 214
Berkeley, CA 94710
TELEPHONE NO.: (510) 848-8880 FAX NO. (Optional): (510) 848-8118
E-MAIL ADDRESS (Optional): brian@chanler.com
ATTORNEY FOR (Name): Plaintiff, John Moore

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda
STREET ADDRESS: 1221 Oak Street
MAILING ADDRESS:
CITY AND ZIP CODE: Oakland 94612
BRANCH NAME: Administration Building

PLAINTIFF/PETITIONER: John Moore
DEFENDANT/RESPONDENT: Escalade, Incorporated, et al.

REQUEST FOR DISMISSAL
 Personal Injury, Property Damage, or Wrongful Death
 Motor Vehicle Other
 Family Law Eminent Domain
 Other (specify): Health and Safety Code § 25249.6 et seq. (Prop 65)

CASE NUMBER:
RG12653761

- A conformed copy will not be returned by the clerk unless a method of return is provided with the document. -

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): on (date):
 - (4) Cross-complaint filed by (name): on (date):
 - (5) Entire action of all parties and all causes of action
 - (6) Other (specify):* as to Escalade, Incorporated ONLY

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: March 25, 2013

Brian C. Johnson

(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)

*If dismissal requested is 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)

(SIGNATURE)

** 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).

Attorney or party without attorney for:

Plaintiff/Petitioner Defendant/Respondent
 Cross-Complainant

(To be completed by clerk)

- 4. Dismissal entered as requested on (date):
- 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

Date:

Clerk, by

Esther Coleman

Deputy

PAT S. SWEETEN

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 March 26, 2013, I caused to be served the following document(s), described as,

6 **REQUEST FOR DISMISSAL**

7 on each interested party as follows:

8 Stephen L. Marsh, Esq.
9 McKenna Long & Aldridge LLP
600 West Broadway, Suite 2600
San Diego, CA 92101
10 *Attorneys for Indian Industries Inc.*

Robert Keller, President
Escalade, Incorporated
817 Maxwell Avenue
Evansville, IN 47711

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

15 Executed this 26th day of March, 2013, at Berkeley, California. I declare under the penalty
of perjury under the laws of the State of California that the foregoing is true and correct.

16 
17 _____
18 Allison Carr