

01/23/2018 TUE 16:39 FAX



CIV-110

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, and address): Evan J. Smith, Esq., SDN 242232 Brodsky & Smith, LLC, 9595 Wilshire Blvd., Ste. 900, Beverly Hills, CA 90212 TELEPHONE NO: 877-594 2500 FAX NO (Optional): 310-247-0160 E-MAIL ADDRESS (Optional): esmith@brodskysmith.com ATTORNEY FOR (Name): <u>Eva Beil</u>		<b>FILED BY FAX</b> <b>ALAMEDA COUNTY</b> January 23, 2018 CLERK OF THE SUPERIOR COURT By Dajuana Turner, Deputy <b>CASE NUMBER:          RG17883584</b>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda STREET ADDRESS: Administration Bldg., 1221 Oak Street, Oakland CA 94612 MAILING ADDRESS: CITY AND ZIP CODE: Oakland CA 94612 BRANCH NAME:		
PLAINTIFF/PETITIONER: ANTHONY FERREIRO DEFENDANT/RESPONDENT: BUILDERDEPOT, INC.		CASE NUMBER: RG17883584
<b>REQUEST FOR DISMISSAL</b>		
A conformed copy will not be returned by the clerk unless a method of return is provided with the document.		
This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)		

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): \_\_\_\_\_

2. (Complete in all cases except family law cases.)

The court  did  did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, this declaration on the back of this form must be completed.)

Date: January 23, 2018

Evan J. Smith  
(TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)

[Signature]  
(SIGNATURE)

\*If dismissal requested in all specified parties only or specified causes of action only, or if specified cross-complaints only, file and identify the parties, causes of action, or cross-complaints to be dismissed.

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: January 23, 2018

Evan J. Smith, Esq.  
(TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)

[Signature]  
(SIGNATURE)

\*\* If a cross-complaint - or Respondent (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 561 (1) or (2).

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

(To be completed by clerk)

**JAN 24 2018**

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: **JAN 24 2018**

Clerk, by [Signature] Deputy