



P 03/09/2018 FRI 10:40 FAX

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) <b>Evan J. Smith, Esq., SBN 242352</b> Brodsky & Smith, LLC, 9595 Wilshire Blvd., Ste. 900 Beverly Hills, CA 90212 TELEPHONE NO.: 877-594-2590 FAX NO. (Optional): 310-247-0160 E-MAIL ADDRESS (Optional): <b>esmith@brodskysmith.com</b> ATTORNEY FOR (Name): <b>GABRIEL ESPINOSA</b>		<b>FILED BY FAX</b> <sup>IV-110</sup> <b>ALAMEDA COUNTY</b> March 09, 2018 CLERK OF THE SUPERIOR COURT By Alicia Espinoza, Deputy CASE NUMBER: <b>RG17880971</b>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda STREET ADDRESS: 1221 Oak Street MAILING ADDRESS: CITY AND ZIP CODE: Oakland CA 94612 BRANCH NAME: ene C. Dav dsor		
PLAINTIFF/PETITIONER: <b>GABRIEL ESPINOSA</b> DEFENDANT/RESPONDENT: <b>E.S. Ritchle &amp; Sons, Inc., et al.</b>		CASE NUMBER: <b>RG17880971</b>
<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):\* only as to defendant **WEST MARINE, INC.**
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, the declaration on the back of this form must be completed).  
 Date: March 9, 2018

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

*[Signature]* (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: March 9, 2018  
 Evan J. Smith, Esq.  
 (TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)

*[Signature]* (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): \_\_\_\_\_
5.  Dismissal entered on (date): **MAR 12 2018** as to only (name): **West Marine, Inc.**
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: **MAR 12 2018** Clerk, by *[Signature]*, Deputy