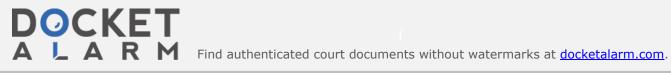


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| 11 12 | Attorneys for the United States | |
| 13 | UNITED STATES DISTRICT COURT | |
| | EASTERN DISTRICT OF CALIFORNIA | |
| 14 15 | THE UNITED STATES OF AMERICA, | |
| 16 | Plaintiff, | Case No. 2:18-cv-2660-JAM-DB |
| 17 | v. | PLAINTIFF'S NOTICE OF DISMISSAL |
| 18 19 | THE STATE OF CALIFORNIA; GAVIN C. NEWSOM, Governor of | Judge: The Hon. John A. Mendez Hearing Scheduled: Feb. 23, 2021, 1:30 p.m. |
| 20 | California, in his Official Capacity, and XAVIER BECERRA, Attorney General | Treating Scheduled: 1 co. 23, 2021, 1.30 p.m. |
| 21 | of California, in his Official Capacity, | |
| 22 | Defendants. | |
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Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff the United States of 1 America, by and through its counsel, hereby gives notice of its voluntary dismissal of this case.¹ 2 3 Dated: February 8, 2021 Respectfully submitted, 4 BRIAN M. BOYNTON 5 Acting Assistant Attorney General Civil Division 6 ALEXANDER K. HAAS 7 Director, Federal Programs Branch 8 JACQUELINE COLEMAN SNEAD 9 Assistant Branch Director, Federal Programs Branch 10 11 12 /s/ Kevin Snell JOSEPH BORSON (Va. Bar No. 85519) 13 KEVIN SNELL (NY Bar) 14 **Trial Attorneys** U.S. Department of Justice 15 Civil Division, Federal Programs Branch 1100 L St. NW 16 Washington, DC 20530 17 Telephone: (202) 305-0924 Fax: (202) 616-8460 18 E-mail: Kevin.Snell@usdoj.gov 19 Attorneys for the United States 20 21 22 23 24 ¹ This Court ordered the parties to file a status conference statement by February 9, 2021, 25 "informing the Court whether the United States of America intends to pursue this case further, or whether, upon review by the Biden Administration, it will file a stipulation or motion to dismiss 26 this lawsuit." See Jan. 15, 2021 Minute Order. The United States understands that deadline to be



for summary judgment).

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moot given its voluntary dismissal of this action. See Fed. R. Civ. P. 41(a)(1)(A)(i) (allowing for voluntary dismissal by plaintiff where opposing party has not served either an answer or a motion