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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) **SBN 93578**
Bruce M. Brusavich
AgnewBrusavich, 20355 Hawthorne Boulevard, 2nd Fl., Torrance, CA 90503
 TELEPHONE NO.: (310) 793-1400 FAX NO. (Optional): (310) 793-1499
 E-MAIL ADDRESS (Optional):
 ATTORNEY FOR (Name): **Plaintiffs LATASHA NAILAH SPEARS; et al.**

FOR COURT USE ONLY

FILED
ALAMEDA COUNTY
SEP 07 2018
 CLERK OF THE SUPERIOR COURT
 By Sue Pecko Deputy

CASE NUMBER: **RG 15760730**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA
 STREET ADDRESS: **24405 Amador Street**
 MAILING ADDRESS: **24405 Amador Street**
 CITY AND ZIP CODE: **Hayward, CA 94544**
 BRANCH NAME: **Hayward Hall of Justice**

PLAINTIFF/PETITIONER: **LATASHA NAILAH SPEARS WINKFIELD; et al.**
 DEFENDANT/RESPONDENT: **FREDERICK S. ROSEN, M.D.; et al.**

REQUEST FOR DISMISSAL

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):
 - (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.)
 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: **September , 2018**

BRUCE M. BRUSAVICH
 (TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)

(SIGNATURE)

*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.

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): **SEP 07 2018**
- 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: **SEP 07 2018**

Clerk, by Sue Pecko, Deputy

PLAINTIFF/PETITIONER: LATASHA NAILAH SPEARS WINKFIELD; et al.
 DEFENDANT/RESPONDENT: FREDERICK S. ROSEN, M.D.; et al.

CASE NUMBER:
 RG 15760730

COURT'S RECOVERY OF WAIVED COURT FEES AND COSTS

If a party whose court fees and costs were initially waived has recovered or will recover \$10,000 or more in value by way of settlement, compromise, arbitration award, mediation settlement, or other means, the court has a statutory lien on that recovery. The court may refuse to dismiss the case until the lien is satisfied. (Gov. Code, § 68637.)

Declaration Concerning Waived Court Fees

1. The court waived court fees and costs in this action for *(name)*:
2. The person named in item 1 is *(check one below)*:
 - a. not recovering anything of value by this action.
 - b. recovering less than \$10,000 in value by this action.
 - c. 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 court 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)

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PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is AGNEW BRUSAVICH, 20355 Hawthorne Blvd., 2nd Floor, Torrance, California. On September 4, 2018, I served the within document **REQUEST FOR DISMISSAL**

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Torrance, California, addressed as set forth below:
- by placing a true copy thereof enclosed in a sealed envelope(s), and caused such envelope(s) to be delivered by hand delivery addressed pursuant to the document(s) listed above to the person(s) at the address(es) set forth below.
- by electronic service. Based on a court order or an agreement of the parties to accept service by electronic transmission. I caused the documents to be sent to the persons at the electronic notification addresses as set forth below:

AGNEW BRUSAVICH
SERIOUS INJURY LAWYERS
20355 HAWTHORNE BLVD. TORRANCE, CA 90503
T: (310) 793-1400 F: (310) 793-1499

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19 I am readily familiar with the firm's practices of collection and processing
20 correspondence for mailing. Under that practice, it would be deposited with the U.S.
21 Postal Service on that same day with postage thereon fully prepaid in the ordinary
22 course of business. I am aware that on motion of the party served, service is presumed
23 invalid if post cancellation date or postage meter date is more than one day after date
24 of deposit for mailing in affidavit.

- 22 (State) I declare under penalty of perjury under the laws of the State of California
23 that the above is true and correct.
- 24 (Federal) I declare that I am employed in the office of a member of the bar of
25 this court at which direction the service was made.

26 Executed this 4th day of September, 2018, at Torrance, California.

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28 DEBBIE NAWA