

1 Michael A. Caddell (SBN 249469)
mac@caddellchapman.com
2 Cynthia B. Chapman (SBN 164471)
cbc@caddellchapman.com
3 Amy E. Tabor (SBN 297660)
aet@caddellchapman.com
4 CADDELL & CHAPMAN
P.O. Box 1311
5 Monterey, CA 93942
Tel.: (713) 751-0400
6 Fax: (713) 751-0906

7 *Attorneys for Plaintiff*

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
SACRAMENTO DIVISION

10 Rio NANCE, individually and on
11 behalf of others similarly situated,

12 *Plaintiff,*

13 v.

14 INTERNATIONAL MEDICAL
15 DEVICES, INC., MENOVA
16 INTERNATIONAL, INC., GESIVA
MEDICAL, LLC, JAMES J. ELIST
M. D., a Medical Corporation, and
Dr. James ELIST,

17 *Defendants.*

CASE No. 2:21-cv-02281-MCE-KJN

**PLAINTIFF’S NOTICE OF
VOLUNTARY DISMISSAL**

1 Plaintiff Rio Nance files this files this Notice of Voluntary Dismissal Pursuant to FED. R.
2 CIV. P. 41(a)(1) and hereby dismisses his claims without prejudice against all Defendants, each
3 side to bear its own costs. As none of the Defendants has yet served an answer or a motion for
4 summary judgment, a Court order is not required. See FED. R. CIV. P. 41(a)(1)(A). This notice
5 results in the voluntary dismissal without prejudice of all of Plaintiff's claims against all
6 Defendants.

7
8 Dated: December 30, 2021

Respectfully submitted,

9 By: /s/ Michael A. Caddell

10 Michael A. Caddell (SBN 249469)

11 mac@caddellchapman.com

Cynthia B. Chapman (SBN 164471)

12 cbc@caddellchapman.com

Amy E. Tabor (SBN 297660)

13 aet@caddellchapman.com

CADDELL & CHAPMAN

14 P.O. Box 1311

Monterey CA 93942

15 Tel.: (713) 751-0400

16 Fax: (713) 751-0906

17 *Attorneys for Plaintiff*