ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address):* Alan R. Brayton, Esq (Bar #73685) Brayton <> Purcell 222 Rush Landing Road, Novato, CA 94948 TELEPHONE NO.: (415) 898-1555 FAX NO. *(Optional):* E-MAIL ADDRESS *(Optional):* ATTORNEY FOR *(Name):* Plaintiff, YSIDRO LIMON, SR.	*FOR COURT USE ONLY* **ELECTRONICALLY** **FILED** *Superior Court of California,* *County of San Francisco* **09/01/2016** **Clerk of the Court** BY:DAVID YUEN **Deputy Clerk**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco

STREET ADDRESS: 400 McAllister Street

MAILING ADDRESS:

CITY AND ZIP CODE: San Francisco 94102

BRANCH NAME:

PLAINTIFF/PETITIONER: YSIDRO LIMON, SR.

DEFENDANT/RESPONDENT: AMCORD, INC., et al.

REQUEST FOR DISMISSAL	CASE NUMBER: CGC-15-276378

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):** Punitive Damages only, as to defendant KAISER GYPSUM COMPANY, INC. only.
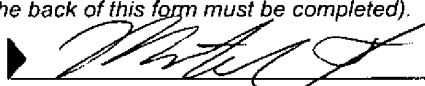
2. *(Complete in all cases except family law cases.)*
   The court ☐ did ☒ did not waive court fees and costs for a party in this case. *(This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed).*

Date: August 31, 2016

Alan R. Brayton   ▶ *(signature)*   for Alan R. Brayton

(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):*

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: Clerk, by_____ , Deputy

REQUEST FOR DISMISSAL

PLAINTIFF/PETITIONER: YSIDRO LIMON, SR.	CASE NUMBER:
DEFENDANT/RESPONDENT: AMCORD, INC., et al.	CGC-15-276378

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)