

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICHAEL J. QUILLING, as Receiver
for James A. Rumpf

Plaintiff,

VS.

BONANZA GOLD, INC.

Defendant.

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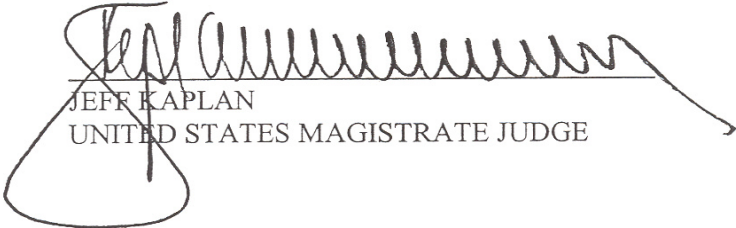
NO. 3-06-CV-0474-L

ORDER

Plaintiff Michael J. Quilling, as Receiver for James A. Rumpf, has filed a notice of dismissal of this civil action brought against Defendant Bonanza Gold, Inc. Fed. R. Civ. P. 41(a)(1) provides that "an action may be dismissed by the plaintiff without order of court [] by filing a notice of dismissal at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever first occurs[.]" Because defendant has not yet filed an answer or a motion for summary judgment, plaintiff's notice operates as a dismissal of this case. The clerk is directed to note on the docket that this action has been dismissed with prejudice.

SO ORDERED.

DATED: September 22, 2006.


JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE