

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Gene Tanaka, SBN 101423 Best Best & Krieger LLP 2001 N. Main Street, STe 390 Walnut Creek, CA 94596 TELEPHONE NO.: (925) 977-3300 FAX NO.: (925) 977-1870 E-MAIL ADDRESS: gene.tanaka@bbklaw.com ATTORNEY FOR (Name): City of Milpitas	FOR COURT USE ONLY CASE NUMBER: 16CV301785
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara STREET ADDRESS: 191 N. First Street MAILING ADDRESS: CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Civil Division	
PLAINTIFF/PETITIONER: Robert S. Means DEFENDANT/RESPONDENT: City of Milpitas	
NOTICE OF ENTRY OF DISMISSAL AND PROOF OF SERVICE <input type="checkbox"/> Personal Injury, Property Damage, or Wrongful Death <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <input type="checkbox"/> Family Law <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Other (specify):	

TO ATTORNEYS AND PARTIES WITHOUT ATTORNEYS: A dismissal was entered in this action by the clerk as shown on the Request for Dismissal. (Attach a copy completed by the clerk.)
 Date: April 17, 2017

Gene Tanaka



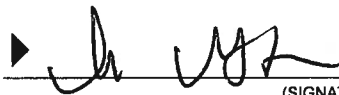
(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)

(SIGNATURE)

PROOF OF SERVICE

- I am over the age of 18 and not a party to this cause. My residence or business address is:
2001 N. Main Street, Ste 390, Walnut Creek, CA 94596
 - I am a resident of or employed in the county where the mailing occurred. I served a copy of the *Notice of Entry of Dismissal and Request for Dismissal* by mailing them, in a sealed envelope with postage fully prepaid, as follows:
 - I deposited the envelope with the United States Postal Service.
 - I placed the envelope for collection and processing for mailing following this business's ordinary practice with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
 - Date of deposit: April 17, 2017
 - Place of deposit (city and state): Walnut Creek, CA
 - Addressed as follows (name and address):
Robert S. Means, 1421 Yellowstone Avenue, Milpitas, CA 95035
 - I served a copy of the *Notice of Entry of Dismissal and Request for Dismissal* by personally delivering copies as shown below:
 - Name of person served:
 - Address at which person served:
 - On (date):
 - At (time):
 - I served a copy of the *Notice of Entry of Dismissal and Request for Dismissal* by electronically serving copies as shown below (complete if electronic service is used based on a court order or agreement of the parties):
 - Name of person served: Robert S. Means
 - Electronic service address of person served: rob.means@electric-bikes.com
 - On (date): April 17, 2017
 - At (time):
 - Electronic service address from which I served the documents:
 Proof of electronic service is attached.
 - Proof of service on additional parties is attached.
- I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 Date: April 17, 2017

Irene Islas



(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Gene Tanaka, SBN 101423
BEST BEST & KRIEGER LLP
2001 N. Main Street, Suite 390
Walnut Creek, CA 94596
 TELEPHONE NO.: (925) 977-3300 FAX NO. (Optional): (925) 977-1870
 E-MAIL ADDRESS (Optional): gene.tanaka@bbklaw.com
 ATTORNEY FOR (Name): City of Milpitas

FOR COURT USE ONLY

ENDORSED

2017 APR 17 A 11: 38

CLERK OF THE COURT
 SUPERIOR COURT OF CA
 COUNTY OF SANTA CLARA
 BY [Signature] DEPUTY

CASE NUMBER: 16CV301785

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara
 STREET ADDRESS: 191 N. First Street
 MAILING ADDRESS:
 CITY AND ZIP CODE: San Jose, CA 95113
 BRANCH NAME: Civil Division

PLAINTIFF/PETITIONER: Robert S. Means
 DEFENDANT/RESPONDENT: City of Milpitas

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: April 7, 2017

Robert Means
 (TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)

[Signature: Robert S. Means]
 (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

TO THE CLERK: Consent to the above dismissal is hereby given.**
 Date:

(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)

[Signature]
 (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):
 - 6. Dismissal not entered as requested for the following reasons (specify):

APR 17 2017
 as to only (name):
APR 17 2017

- 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: **APR 17 2017** Clerk, by [Signature: C. Pesto] Deputy

FAXED