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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 vs.
14 MINH-HUYEN T. PHAN, AKA MINH-
15 HUYEN PHAN,
16 Defendant

Case No.: CV 12-00385-SJO
(SHx)

MOTION TO DISMISS CASE WITH
PREJUDICE

Matter Assigned to Honorable
S. James Otero, Senior
District Judge

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19 Plaintiff, UNITED STATES OF AMERICA ("USA"), hereby requests
20 that the court dismiss the above referenced case with prejudice,
21 based on the following as set forth herein.

22 1. On January 17, 2012 Plaintiff filed a Complaint on a
23 Promissory Note against Defendant Minh-Huyen T. Phan, aka Minh-
24 Huyen Phan arising from Defendant's failure to repay a student
25 loan.

26 2. On February 22, 2012 Defendant filed her answer to our
27 complaint and asserting ten boilerplate defenses.

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PROOF OF SERVICE BY MAILING

I, George Martinovich, declare:

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 1670 Santa Ana Ave., Suite "K", Costa Mesa, CA 92627.

On August 24, 2012, I served a copy of a Motion to Dismiss Case on the interested parties named below by enclosing a copy in an envelope addressed as shown below and placing the envelope for collection and mailing on the date and at the place shown below following our ordinary office practices.

Minh-Huyen T. Phan, aka Minh- Huyen Phan
Los Angeles, CA

Date of mailing: August 24, 2012; Place of Mailing: Costa Mesa, California. I am readily familiar with the practice of this office for collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully pre-paid.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

Executed on Friday, August 24, 2012, at Costa Mesa, California.


George Martinovich