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Attorneys for Plaintiff
Brassica Protection Products LLC

UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRASSICA PROTECTION PRODUCTS LLC,

Plaintiff,

-against-

CAUDILL SEED & WAREHOUSE CO., INC.
d/b/a CAUDILL SEED CO.,

Defendant.

07 Civ. 7845 (DC)

NOTICE OF DISMISSAL

Filed Electronically

PLEASE TAKE NOTICE THAT, whereas defendant has not served an answer or motion for summary judgment in this action, plaintiff Brassica Protection Products LLC hereby voluntarily dismisses this action without prejudice as against defendant Caudill Seed & Warehouse Co., Inc. d/b/a Caudill Seed Co. pursuant to Fed. R. Civ. P. 41(a)(1)(i).

Respectfully submitted,

Dated: September 6, 2007

/s/ Edward L. Powers

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