

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

Virginia State Conference)
Of the National Association)
For the Advancement of)
Colored People Branches , et al.)

Plaintiffs,)

v.)

Timothy M. Kaine, et al.)

Defendants.)

2:08cv508 (RAJ-FBS)

MOTION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE

The Plaintiffs in this matter hereby respectfully move for the voluntary dismissal of this action without prejudice as per Fed. R. Civ. P. 41(a)(1)(i). Rule 41 (a)(1) provides that a plaintiff may dismiss an action without a court order by filing “(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(i). In this matter, neither the original Defendants nor the Intervenor-Defendants filed Answers to the Complaint; similarly, no Motions for Summary Judgment were filed. In the interests of judicial economy, the Plaintiffs hereby respectfully that the Court deem

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