UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

ALBERT L. GRAY, Administrator, et al.	)
	)
Plaintiffs	)
	)
vs.	)
	)
JEFFREY DERDERIAN, et al.	)
	)
Defendants	)
	)

04-312L

DEFENDANT HOWARD J. JULIAN'S MOTION TO DISMISS THIRD PARTY DEFENDANT Dennis P. LAROCQUE ALIAS, JOHN DOE UNDER F.R.C.P. 41 (a)

Cross Claimant Howard Julian hereby respectfully moves the Court to dismiss, without prejudice, his cross claim against Dennis P. Larocque Alias, John Doe under Trial Rule 41 (a). In support of said Motion Cross Claimant Howard Julian asserts that there has been no answer or other responsive pleading from Dennis P. Larocque Alias, John Doe and there has been no previous dismissal under F.R.C.P. 41(a).

Respectfully Submitted,

Howard J. Julian
570 Shermantown Road
North Kingstown, Rhode Island
02874

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UNITED STATES DISTRICT COURT
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ALBERT L. GRAY, Administrator, et al.	)
	)
Plaintiffs	)
	)
vs.	)
	)
JEFFREY DERDERIAN, et al.	)
	)
Defendants	)
_____	)

ORDER

The cross claim against Dennis P. Larocque Alias, John Doe is hereby dismissed without prejudice under F.R.C.P. 41(a).

_____
Honorable Ronald R. Lagueux
United States District Court
District of Rhode Island

CERTIFICATION

I hereby certify that on the 12TH day of October 2004 a true copy of the within was mailed to:

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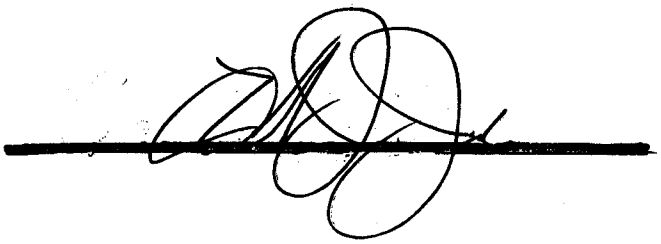
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