UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION AT CINCINNATI

IVAN MUÑOZ MARTINEZ, et al.,

CASE NO. 1:07-cv-722

Petitioners/Plaintiffs,

JUDGE DLOTT

ν.

MAGISTRATE JUDGE HOGAN

MR. MICHAEL CHERTOFF, et al.,

Respondents/Defendants

MOTION TO DISMISS

WITHOUT PREJUDICE

Now come Plaintiffs, by and through counsel, pursuant to Civ R. 41(a), and respectfully move this honorable Court to dismiss this action without prejudice. This action may have become moot by the removal of some of the Plaintiffs from the country and the voluntary withdrawal of others from this action.

Respectfully Submitted,

/s/ Firooz T. Namei FIROOZ T. NAMEI (0085754) Attorney for Petitioners McKinney & Namei Co., LPA Ratio et Fides 15 East 8th Street Cincinnati, Ohio 45202 (513) 721-0200 (513) 632-5898 Fax