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12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 **ALICIA SPIVACK**, as an individual, and : Civil No.: CV 13-2767-WHO
17 on behalf of all others similarly situated, :
18 *Plaintiff*, : Judge: The Honorable William H. Orrick
19 vs. :
20 : **PLAINTIFF’S NOTICE OF VOLUNTARY**
21 : **DISMISSAL WITHOUT PREJUDICE**
22 **KELLOGG COMPANY**, a Michigan :
23 corporation, :
24 *Defendant*. :

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26 **TO THE COURT, THE CLERK OF COURT, AND ALL PARTIES AND**
27 **ATTORNEYS OF RECORD:**

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29 **PLEASE TAKE NOTICE** that pursuant to FED. R. CIV. P. 41(a)(1)(A)(i), Plaintiff,
30 ALICIA SPIVACK, by and through his undersigned counsel, hereby voluntarily dismisses this
31 action without prejudice.

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Respectfully Submitted,
THE LAW OFFICES OF
HOWARD W. RUBINSTEIN, P.A.

Dated: October 15, 2013

By: /s/ Benjamin M. Lopatin
Benjamin M. Lopatin, Esq.
Cal. Bar No.: 281730

Attorney for Plaintiff Alicia Spivack

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of October, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record by transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Benjamin M. Lopatin
Benjamin M. Lopatin, Esq.