

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**KAZEROUNI LAW GROUP, APC**  
Abbas Kazerounian, Esq. (SBN: 249203)  
ak@kazlg.com  
Jason A. Ibey, Esq. (SBN: 284607)  
jason@kazlg.com  
245 Fischer Avenue, Suite D1  
Costa Mesa, California 92626  
Telephone: (800) 400-6808  
Facsimile: (800) 520-5523

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

KATHLEEN HOLT, individually, and on  
behalf of all others similarly situated,

Plaintiff,

vs.

RESERVE LIFE ORGANICS, LLC, d/b/a  
RESERVEAGE ORGANICS, d/b/a  
RESERVEAGE, LLC, d/b/a  
RESERVEAGE ORGANICS, INC., d/b/a,  
RESERVEAGE, INC., d/b/a  
RESERVEAGE,

Defendants.

CASE NO. 13CV-2206-JAH-DHB

CLASS ACTION

**JOINT MOTION TO DISMISS  
PLAINTIFF'S INDIVIDUAL  
CLAIMS WITH PREJUDICE  
AND THE PUTATIVE CLASS  
CLAIMS WITHOUT PREJUDICE**

1 Plaintiff KATHLEEN HOLT (“Plaintiff”) and Defendant RESERVE LIFE  
2 ORGANICS, LLC, d/b/a RESERVEAGE ORGANICS, d/b/a RESERVEAGE,  
3 LLC, d/b/a RESERVEAGE ORGANICS, INC., d/b/a, RESERVEAGE, INC.,  
4 d/b/a RESERVEAGE (“Defendant”) (jointly hereinafter referred to as “the  
5 Parties”), hereby move to dismiss the above entitled action with prejudice as to  
6 Plaintiff’s individual claims and without prejudice as to the putative class claims.

7 Therefore, the Parties agree that this Court may proceed to dismiss this  
8 action entirely with prejudice as to Plaintiff’s individual claims and without  
9 prejudice as to the putative class claims.

10  
11  
12 Dated: April 7, 2014

**KAZEROUNI LAW GROUP, APC**

13  
14 /s/ Abbas Kazerounian  
15 Abbas Kazerounian  
16 Attorney for Plaintiff

17 Dated: April 7, 2014

**VENABLE, LLP**

18 /s/ Daniel S. Silverman  
19 Daniel S. Silverman  
20 Attorney for Defendant  
21  
22  
23  
24  
25

26 **Signature Certification**

27 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative  
28 Policies and Procedures Manual, I hereby certify that the content of this document  
is acceptable to Daniel S. Silverman, counsel for Defendant, and that I have

1 obtained Mr. Silverman's authorization to affix his electronic signature to this  
2 document.

3 Dated: April 7, 2014

**KAZEROUNI LAW GROUP, APC**

4 /s/ Abbas Kazerounian  
5 Abbas Kazerounian  
6 Attorney for Plaintiff  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Kazerouni Law Group, APC, 245 Fischer Avenue, Suite D1, Costa Mesa, California 92626. On April 7, 2014, I served the within document(s):

**JOINT MOTION TO DISMISS PLAINTIFF'S INDIVIDUAL CLAIMS WITH PREJUDICE AND THE PUTATIVE CLASS CLAIMS WITHOUT PREJUDICE**

- CM/ECF - by transmitting electronically the document(s) listed above to the electronic case filing system on this date before 11:59 p.m. The Court's CM/ECF system sends an e-mail notification of the filing to the parties and counsel of record who are registered with the Court's CM/ECF system.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on April 7, 2014, at Costa Mesa, California.

/s/ Abbas Kazerounian  
ABBAS KAZEROUNIAN

Kazerouni Law Group, APC  
Costa Mesa, California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28