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8 *Counsel for Plaintiff and all*
others similarly situated
9

10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA
12

13 MATTHEW DRONKERS, on behalf of
himself and all others similarly situated,

14 Plaintiffs,

15 v.

16 KISS MY FACE, LLC, a Delaware
17 Limited Liability Company, and DOES
1-10, inclusive,

18 Defendants.
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) Case No. 3:12-cv-01151-JAH-WMC

) **CLASS ACTION**

) **STIPULATION FOR DISMISSAL**

LAW OFFICES
KIRTLAND & PACKARD LLP

LAW OFFICES
KIRTLAND & PACKARD LLP

1 WHEREAS Plaintiff Matthew Dronkers filed this suit against Defendant Kiss
2 My Face, LLC on May 11, 2012;

3 WHEREAS Defendant Kiss My Face, LLC is no longer manufacturing
4 products that are labeled with the term “Obsessively Organic.”

5 WHEREAS the parties believe it is in the best interest of the time and
6 resources of the parties, along with judicial time and resources, to dismiss the
7 instant case, with prejudice as to Plaintiff Matthew Dronkers and without prejudice
8 as to the putative class;

9 **IT IS HEREBY STIPULATED BY AND BETWEEN COUNSEL FOR**
10 **THE PARTIES:**

11 Plaintiff Matthew Dronker’s entire action against Defendant Kiss My Face,
12 LLC will be dismissed, with prejudice as to Plaintiff Matthew Dronkers and
13 without prejudice as to the putative class. Pursuant to Federal Rule of Civil
14 Procedure 41(a)(1)(A)(i), the dismissal can be accomplished without a court order
15 as it has been stipulated to by all parties who have appeared.

16
17 DATED: January 6, 2014

RESPECTFULLY SUBMITTED,
KIRTLAND & PACKARD LLP
Michael Louis Kelly
Behram V. Parekh
Heather M. Baker

18
19
20 By: /s/ Heather M. Baker
HEATHER M. BAKER

*Counsel for Plaintiff and all others
similarly situated*

21
22
23 DATED: January 6, 2014

GREENBERG TRAUIG, LLP
James Mattesich
Angela L. Diesch

24
25 By: /s/ Angela L. Diesch
ANGELA L. DIESCH

Counsel for Defendant

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1 Attestation Regarding Electronic Signatures

2 I, Heather Baker, am the ECF User whose ID and password are being used to
3 file this Stipulation. I hereby attest that Angela Diesch, counsel for Defendant, has
4 concurred in the filing's content and has authorized the filing.

5 DATED: January 7, 2014

KIRTLAND & PACKARD LLP

6
7 By: /s/ Heather M. Baker
8 MICHAEL LOUIS KELLY
9 BEHRAM V. PAREKH
10 HEATHER M. BAKER
11 *Counsel for Plaintiff and all others*
12 *similarly situated*

LAW OFFICES
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10 **UNITED STATES DISTRICT COURT**
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1-10, inclusive,

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Case No. 3:12-cv-01151-JAH-WMC

**CERTIFICATE OF SERVICE
STIPULATION FOR DISMISSAL**

Complaint Filed: May 11, 2012

LAW OFFICES
KIRTLAND & PACKARD LLP

1 IT IS HEREBY CERTIFIED THAT:

2 I, the undersigned, am a citizen of the United States and am at least eighteen
3 years of age. My business address is Kirtland & Packard LLP, 2041 Rosecrans
4 Avenue, Third Floor, El Segundo, California 90245. I am not a party to the above-
5 entitled action. On January 7, 2014, I caused service of:

6 **STIPULATION FOR DISMISSAL**

7
8 BY ELECTRONIC TRANSMISSION USING THE COURT'S ECF
9 SYSTEM:

10 I caused the above document(s) to be transmitted by electronic mail to those
11 ECF registered parties listed on the Notice of Electronic Filing (NEF) pursuant to
12 Fed.R.Civ.P. 5(d)(1) and by first class mail to those non-ECF registered parties
13 listed on the Notice of Electronic Filing (NEF). "A Notice of Electronic Filing
14 (NEF) is generated automatically by the ECF system upon completion of an
15 electronic filing. The NEF, when e-mailed to the e-mail address of record in the
16 case, shall constitute the proof of service as required by Fed.R.Civ.P. 5(d)(1). A
17 copy of the NEF shall be attached to any document served in the traditional manner
18 upon any party appearing pro se."

19 I certify under penalty of perjury that the foregoing is true and correct and
20 that this declaration was executed on January 7, 2014.

21
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23 By: /s/ Heather M. Baker
HEATHER M. BAKER