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

KYLE JANOVICK, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.
MAXIMUM HUMAN PERFORMANCE,
INC., et al.,

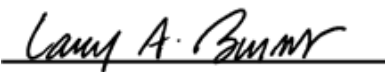
Defendants.

CASE NO. 13cv2129-LAB (WVG)
ORDER OF DISMISSAL

In this putative class action, Plaintiff Kyle Janovick has filed a notice of voluntary dismissal with prejudice (Docket no. 9). Defendant has not answered or moved for summary judgment. Pursuant to Fed. R. Civ. P. 41(a), the complaint is **DISMISSED**. It is dismissed with prejudice as to Janovick's claims, but without prejudice as to the putative class members' claims. All pending dates are **VACATED**.

IT IS SO ORDERED.

DATED: November 21, 2013


HONORABLE LARRY ALAN BURNS
United States District Judge