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Attorneys for Plaintiff Alan Hernandez

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ALAN HERNANDEZ, individually,
and on behalf of other members of the
general public similarly situated,

Plaintiffs,

v.

CHIPOTLE MEXICAN GRILL, INC.,
a Delaware corporation; and DOES 1
through 10, inclusive,

Defendants.

Case No. CV-12-05543-DSF (JCx)

**STIPULATED REQUEST FOR ENTRY
OF JUDGMENT**

Assigned To:

Judge: Hon. Dale S. Fischer

Courtroom: 840 (Roybal)

Complaint filed: 6/26/12

Discovery Cutoff: 1/31/14

Final Pretrial Conference: 6/23/14

Jury Trial Date: 7/22/14

1 Plaintiff Alan Hernandez (“Plaintiff”) and defendant Chipotle Mexican Grill, Inc.
2 (“Chipotle”) (jointly, the “Parties”), by and through their respective counsel of record,
3 hereby agree and stipulate as follows:

4 WHEREAS Plaintiff filed, on June 26, 2012, in the United States District Court
5 for the Central District of California, a Class Action Complaint against Chipotle, in
6 which he asserted causes of action for fraud; breach of express warranty; intentional
7 misrepresentation; negligent misrepresentation; violation of California’s False
8 Advertising Law (Cal. Bus. & Prof. Code §§ 17500, *et seq.*); and violation of
9 California’s unfair competition law (Cal. Bus. & Prof. Code §§ 17200, *et seq.*);

10 WHEREAS, on August 5, 2013, Plaintiff moved this Court for class certification;

11 WHEREAS, on December 2, 2013, this Court entered an Order denying
12 Plaintiff’s motion for class certification;

13 WHEREAS, on December 16, 2013, Plaintiff filed in the United States Court of
14 Appeals for the Ninth Circuit a Petition for Permission to Appeal Pursuant to Federal
15 Rule of Civil Procedure 23(f);

16 WHEREAS, on March 12, 2014, the United States Court of Appeals for the
17 Ninth Circuit entered an Order denying Plaintiff’s Petition for Permission to Appeal; and

18 WHEREAS the Parties desire to resolve, fully and finally, all claims that have
19 been, or that could have been, asserted in this action.

20 NOW, THEREFORE, the Parties agree and stipulate as follows:

21 1. The Parties shall jointly submit for the Court’s signature a proposed
22 Judgment, by which Plaintiff shall take nothing on the claims asserted in his Class
23 Action Complaint and by which judgment shall be entered in favor of Chipotle.

24 2. The Parties shall bear their own attorneys’ fees and costs/expenses.

25 3. Plaintiff agrees not to take any appeal from the Judgment or from any of
26 the rulings made during the course of this action, including the Court’s Order denying
27 Plaintiff’s motion for class certification.

1 IT IS SO STIPULATED.

2
3 Dated: June 20, 2014

GIRARDI & KEESE
LAWYERS *for* JUSTICE, PC

4
5 By: /s/ Edwin Aiwazian

6 John A. Girardi
7 Edwin Aiwazian
8 Attorneys for Plaintiff
ALAN HERNANDEZ

9
10 Dated: June 20, 2014

MESSNER REEVES, LLP
SHEPPARD, MULLIN, RICHTER & HAMPTON, LLP

11
12 By: /s/ Sascha Henry

13 Charles C. Cavanagh
14 Sascha Henry
15 Attorneys for Defendant
CHIPOTLE MEXICAN GRILL, INC.

16 ATTESTATION

17 Pursuant to Local Rule 5-4.3.4(a)(2)(i), I hereby attest that all signatories
18 listed above, and on whose behalf this filing is submitted, concur in the filing's content
19 and have authorized the filing.

20 Executed this 20th day of June 2014 at Los Angeles, California.

21
22 /s/ Sascha Henry

23 SASCHA HENRY
24
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26
27
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ALAN HERNANDEZ, individually,
and on behalf of other members of the
general public similarly situated,

Plaintiffs,

v.

CHIPOTLE MEXICAN GRILL, INC.,
a Delaware corporation; and DOES 1
through 10, inclusive,

Defendants.

Case No. CV-12-05543-DSF (JCx)

[PROPOSED] JUDGMENT

Assigned To:

Judge: Hon. Dale S. Fischer

Courtroom: 840 (Roybal)

Complaint filed: 6/26/12

Discovery Cutoff: 1/31/14

Final Pretrial Conference: 6/23/14

Jury Trial Date: 7/22/14

Pursuant to the stipulation of the parties,

IT IS HEREBY ORDERED AND ADJUDGED that plaintiff Alan Hernandez take nothing on the claims for relief asserted in his Class Action Complaint and that judgment be entered in favor of defendant Chipotle Mexican Grill, Inc. Each party to bear their own attorneys' fees and costs/expenses.

DATED: _____

The Honorable Dale S. Fischer
United States District Court Judge

Respectfully submitted by,
GIRARDI & KEESE
LAWYERS for JUSTICE, PC

MESSNER REEVES, LLP
SHEPPARD, MULLIN, RICHTER &
HAMPTON, LLP

By: /s/ Edwin Aiwarzian

John A. Girardi
Edwin Aiwarzian
Attorneys for Plaintiff
ALAN HERNANDEZ

By: /s/ Sascha Henry

Charles C. Cavanagh
Sascha Henry
Attorneys for Defendant
CHIPOTLE MEXICAN GRILL, INC.

ATTESTION

Pursuant to Local Rule 5-4.3.4(a)(2)(i), I hereby attest that all signatories listed above, except for the Court, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

Executed this 20th day of June 2014 at Los Angeles, California.

/s/ Sascha Henry

SASCHA HENRY