

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

VICKI BEARD, on behalf of herself and all :
others similarly situated, :
 :
 :
 Plaintiff, :
 :
 v. :
 :
 :
 Universal Wellness Group, Inc., :
 a/k/a Better Health Lab, Inc. d/b/a :
 Alkazone, :
 :
 Defendant. :
 :
 X

Case No. 1:14-cv-1045

**STIPULATION OF
VOLUNTARY DISMISSAL**

WHEREAS, defendant Universal Wellness Group, Inc., a/k/a Better Health Lab, Inc. d/b/a Alkazone made representations to plaintiff and the Court regarding the jurisdiction of this Court;

WHEREAS, the following summarizes the representations made by defendant and defendant repeats those representations here and plaintiffs rely upon these representations in making this stipulation:

- Each class member’s individual claim asserted is less than the \$75,000 threshold and after aggregating the claims of the putative class, the matter in controversy does not exceed the sum or value of \$5 million, inclusive of all damages, attorneys’ fees or costs as set forth by CAFA.
- Each class member’s individual claim asserted is less than the \$75,000 threshold and after aggregating the claims of the putative class involving a National Class Action, the matter in controversy does not exceed the sum or value of \$5 million, inclusive of all damages, attorneys’ fees or costs as set forth by CAFA.
- Each class member’s individual claim asserted is less than the \$75,000 threshold and after aggregating the claims of the putative class in each individual state and the aggregate for claims asserted in all states, the matter in controversy does not exceed the sum or value of \$5 million, inclusive of all damages, attorneys’ fees or costs as set forth by CAFA.
- There are no federal questions that have been asserted or could have been asserted in this action.

- Defendant will not seek or attempt removal for any action that has been asserted or could have been asserted in this case that arises out of the same facts or is related to any of the facts alleged herein.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between plaintiff, individually, and defendant pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the above-captioned action is voluntarily dismissed WITHOUT PREJUDICE.

Dated: New York, New York
May 1, 2014

KAMBERLAW, LLC

SIEGEL & SIEGEL, P.C.

By: /s/ Scott A. Kamber

By: /s/ Michael D. Siegel

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