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14
15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**
17 **WESTERN DIVISION**

18
19 HENRY ESTRADA, et al.,

20 Plaintiff,

21 v.

22 NESTLÉ USA, INC., et al.,

23 Defendant.
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Case No. CV 14-989 RGK (FFMx)

**STIPULATED NOTICE OF
DISMISSAL OF ACTION**

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TO THE COURT AND CLERK OF THE COURT:

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), plaintiff Henry Estrada and defendant Nestlé USA, Inc., representing all parties that have appeared in this action, hereby stipulate to dismissal of this entire action without prejudice.¹ The parties further stipulate that if the claims set out in this action are ever re-filed, in whole or in part, in sum or in substance, the action will be re-filed in the U.S. District Court for the Central District of California and noticed by plaintiff as related to this action under Local Rule 83-1.3.

Dated: March 31, 2014

MAYER BROWN LLP

By: /s/ Dale J. Giali
Dale J. Giali

Attorneys for Defendant
NESTLÉ USA, INC.

Dated: March 31, 2014

SCOTT+SCOTT, LLP

By: /s/ Joseph P. Guglielmo
Joseph P. Guglielmo

Attorneys for Plaintiff
HENRY ESTRADA

¹ The dismissal is effective upon filing and does not require the Court’s approval. See Fed. R. Civ. P. 41(a)(1)(A)(ii); *Garber v. Chicago Merchantile Exch.*, 570 F.3d 1361, 1366 (Fed. Cir. 2009); *McCall-Bey v. Franzen*, 777 F.2d 1178, 1185 (7th Cir. 1985).