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6 Attorneys for Plaintiff: CONI HASS and all other similarly situated

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

10
11 CONI HASS, individually, and on behalf
12 of all other similarly situated

13 Plaintiff

14
15 v.

16 CITIZENS OF HUMANITY, LLC, a
17 Delaware Limited Liability Company;
18 and DOES 1 through 100, inclusive

19 Defendant.

Case No. 14-CV1404 JLS (WVG)

**NOTICE OF INTENT NOT TO
AMEND THE COMPLAINT**

Ctrm: 4A
Hon. Janis L. Sammartino

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21 TO THE ABOVE ENTITLED COURT:

22 PLEASE TAKE NOTICE that Plaintiff Coni Hass is notifying the Court that
23 she does not intend to amend her complaint as permitted in the Court's December
24 6, 2016 Order Granting Defendant Citizens of Humanity, LLC's Motion to
25 Dismiss Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). Said
26 notice is being provided pursuant to Ninth Circuit authority. *See WMX*
27 *Technologies, Inc. v. Miller*, 104 F.3d 1133 (9th Cir. 1997); *Edwards v. Marin*
28

1 *Park, Inc.*, 356 F.3d 1058 (9th Cir. 2004).

2 The Court's December 6, 2016 order found, in part, that Coni Hass lacked
3 subject matter jurisdiction to bring claims on additional products. In light of this
4 ruling, Plaintiff Coni Hass requests the Court dismiss the entire case for lack of
5 subject matter jurisdiction.

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Dated: January 27, 2017

DEL MAR LAW GROUP LLP

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By: /s John H. Donboli

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John H. Donboli, Esq.

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Attorneys for: CONI HASS,
individually, and on behalf of all
others similarly situated

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<p>UNITED STATES DISTRICT COURT</p> <p>SOUTHERN DISTRICT OF CALIFORNIA</p>	<p>COURT USE ONLY</p>
<p><u>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):</u> John H. Donboli (SBN: 205218) Tel: (858) 793-6244 DEL MAR LAW GROUP, LLP Fax (858) 793-6005 12250 El Camino Real, Suite 120 San Diego, California 92130</p>	
<p><u>SHORT CASE TITLE</u> HASS v. CITIZENS OF HUMANITY, LLC, et al.</p>	<p>DEPT: 4A</p>
<p><u>ATTORNEYS FOR PLAINTIFF</u> CONI HASS, an individual and on behalf of all others similarly situated</p>	<p>Case No. 3:14-cv-01404-JLS-WVG</p>

PROOF OF SERVICE

I, the undersigned, say: I am over 18 years of age, employed in the County of San Diego, California, and that I am not a party to the subject cause. My business address is 12250 El Camino Real, Suite 120, San Diego, California 92130.

On January 27, 2017, I served the following document(s):

1. NOTICE OF INTENT NOT TO AMEND THE COMPLAINT

on the interested parties as follows:

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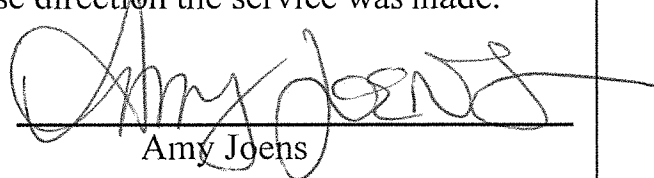
11 *Attorneys for Plaintiff: Coni Hass*

12 (X) **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I filed the
 13 document(s) with the Clerk of the Court by using the CM/ECF system.
 14 Participants in the case who are registered CM/ECF users will be serve by
 15 the CM/ECF system. Participants in the case who are not registered
 16 CM/ECF users will be served by mail or by other means permitted by the
 17 court rules.

18 () **BY MAIL.** I am familiar with this firm’s practice of collection and
 19 processing correspondence for mailing with the United States Postal Service,
 20 and that the correspondence shall be deposited with the United States Postal
 21 Service this same day in the ordinary course of business.

22 I declare under penalty of perjury under the laws of the United States of
 23 America that are foregoing is true and correct and that I am employed in the office
 24 of a member of the bar of this Court at whose direction the service was made.

25 Executed on January 27, 2017

26 
 27 _____
 28 Amy Joens