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1 Frank C. Rothrock (SBN: 54452)  
frothrock@shb.com  
2 Paul B. La Scala (SBN: 186939)  
plascala@shb.com  
3 SHOOK, HARDY & BACON L.L.P.  
5 Park Plaza, Suite 1600  
4 Irvine, California 92614  
Telephone: (949) 475-1500  
5 Facsimile: (949) 475-0016

6 Attorneys for Defendants Wal-Mart Stores, Inc.  
and Wal-Mart.com USA, LLC  
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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

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11 TIMOTHY BORIS, BONNIE COOPER, )  
TONY F. GIRARD, and ERIKA )  
12 NEWSOME, on behalf of themselves )  
and all others similarly situated, )

13 Plaintiffs,  
14 vs.

15 WAL-MART STORES, INC. and )  
WALMART.COM, )  
16 Defendants. )

Case No. CV13-07090-ABC-(FFM)

Judge: Hon. Audrey B. Collins  
Ctm.: 680

**[PROPOSED] ORDER DISMISSING  
CASE WITH PREJUDICE**

[Filed concurrently with Application for  
Entry of Order Dismissing Case with  
Prejudice]

Complaint filed: 9/24/13  
FAC filed: 12/13/13

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20 On April 9, 2014, the Court dismissed with prejudice all claims, except for  
21 Plaintiffs' claims under the FAL (Cal. Bus. & Prof. Code § 17500 et seq.), UCL (Cal.  
22 Bus. & Prof. Code § 17200 et seq.), and CLRA (Cal. Civ. Code § 1750 et seq.) to the  
23 extent they are predicated on an alleged website misrepresentation ("website claims"),  
24 which were dismissed without prejudice. The Court granted Plaintiffs twenty-one  
25 (21) days to file a second amended complaint to cure deficiencies in the website  
26 claims. (See Ex. A at 20.)  
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1 Plaintiffs failed to file a second amended complaint within the time prescribed  
2 by the April 9, 2014 Order. Accordingly, for the reason set forth in the Court's April  
3 9, 2014 Order, **IT IS HEREBY ORDERED** that this case is dismissed in its entirety  
4 with prejudice.

*Audrey B. Collins*

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6 Dated: 5/5/14

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Hon. Audrey B. Collins  
United States District Court Judge

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