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Attorneys for Bayer HealthCare, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LIZA GERSHMAN, SEAN PORTER,
MATTHEW KAPLAN, and
CHANDRA LAW, On Behalf of
Themselves and All Others Similarly
Situated,

Plaintiffs,

v.

BAYER HEALTHCARE, LLC, a
Delaware Limited Liability Company,

Defendant.

) Case No. 3:14-cv-05332-HSG
)
) **STIPULATION FOR DISMISSAL OF**
) **ACTION PURSUANT TO FED. R. CIV. P.**
) **41(A) AND FOR RETENTION OF**
) **JURISDICTION OVER ACTION TO**
) **ENFORCE SETTLEMENT**

) Judge: Hon. Haywood S. Gilliam, Jr.
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IT IS HEREBY STIPULATED, pursuant to Federal Rule of Civil Procedure 41(a), by
Plaintiffs on the one hand, and Defendants on the other hand, through their respective counsel of
record, that the above-captioned action is dismissed with prejudice in its entirety, with each party

1 to bear its own attorneys' fees and costs. The Parties have entered into a confidential settlement of
 2 this matter on an individual/non-class basis. This settlement was prompted, in part, by the fact that
 3 the product that was the subject of the litigation is no longer on the market. If, however, the Court
 4 desires to review the settlement agreement, the Parties will provide the Court with a copy of the
 5 Settlement Agreement for *in camera* review.

6 IT IS FURTHER STIPULATED by and between Plaintiffs and Defendants that the Court
 7 shall retain jurisdiction over this action following its dismissal for the sole purpose of enforcing the
 8 Parties' settlement.

9 Dated: August 1, 2016

s/ Patricia N. Syverson
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Dated: August 1, 2016

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SIGNATURE CERTIFICATION

Pursuant to Rule 5-1(i)(3) of the United States District Court for the Northern District of California Local Rules, I hereby certify that the content of this document is acceptable to Ryan M. Sandrock, counsel for Defendant, and that I have obtained his authorization to affix his electronic signature to this document.

Dated: August 1, 2016

BONNETT, FAIRBOURN, FRIEDMAN &
BALINT, P.C.


By: /s/ Patricia N. Syverson
Patricia N. Syverson

PURSUANT TO STIPULATION, IT IS ORDERED:

(1) The above-captioned action is dismissed with prejudice in its entirety, with each party to bear its own attorneys' fees and costs.

(2) The Court shall retain jurisdiction over this action following its dismissal for the sole purpose of enforcing the Parties' settlement.

Dated: August 4, 2016


Hon. Haywood S. Gilliam, Jr.
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2016 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic mail notice list, and I hereby certify that I have mailed the foregoing document via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 1, 2016.

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