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12 **UNITED STATES DISTRICT COURT**
13
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **(WESTERN DIVISION)**

16 THOMAS FLOWERS, On Behalf of
17 Himself and All Others Similarly
Situated,

18 Plaintiffs,

19 vs.

20 SCHIFF NUTRITION, SCHIFF
21 NUTRITION INTERNATIONAL
INC., SCHIFF NUTRITION GROUP,
22 INC., RECKITT BENCKISER
23 PHARMACEUTICALS INC., and
RECKITT BENCKISER NORTH
AMERICA, LLC,

24 Defendants.
25

Case No. 2:13-cv-09406-MWF-MRW

CLASS ACTION

STIPULATION RE: DISMISSAL

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1 Plaintiff, Thomas Flowers, and Defendants, Schiff Nutrition; Schiff
2 Nutrition International, Inc., Schiff Nutrition Group, Inc.; Reckitt Benckiser
3 Pharmaceuticals, Inc.; and, Reckitt Benckiser North America LLC, by and through
4 their undersigned counsel and pursuant to Fed. R. Civ. P. 41(a)(1)(A) hereby
5 stipulate that:

- 6 1. This action shall be DISMISSED, with prejudice;
- 7 2. No motion for class certification has been filed and no class has
8 been certified in this action; therefore, class notice and court approval of this
9 dismissal are not required under the Federal Rules; and
- 10 3. Each party shall bear their own costs and fees, including
11 attorneys' fees, incurred in connection with this action.

12 IT IS SO STIPULATED.

13 DATED: November 13, 2015 **NYE, PEABODY, STIRLING, HALE &**
14 **MILLER, LLP**

15 By: /S/ Jonathan D. Miller
16 Jonathan D. Miller (SBN 220848)
17 Alison M. Bernal (SBN 264629)
NYE, PEABODY, STIRLING, HALE &
MILLER, LLP

18 Benjamin J. Sweet (*Pro Hac Pending*)
19 Edwin J. Kilpela Jr. (*Pro Hac Pending*)
CARLSON LYNCH SWEET &
KILPELA

20 Attorneys for Plaintiff and Proposed Class

21
22 DATED: November 13, 2015 **LATHAM & WATKINS LLP**

23
24 By: /s/ Kathleen P. Lally
25 Kathleen P. Lally
26 Corrina G. Freedman

27 Attorneys for Defendants
28

1 Local Rule 5-4.3.4 Certification: I hereby attest that all other signatories
2 listed, on whose behalf this filing is submitted, concur in the filing’s content and
3 have authorized this filing.

4 /s/
 Jonathan D. Miller

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