

Kazerouni Law Group, APC
Costa Mesa, California

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KAZEROUNI LAW GROUP, APC
Abbas Kazerounian, Esq. (SBN: 249203)
ak@kazlg.com
Jason A. Ibey, Esq. (SBN: 284607)
jason@kazlg.com
245 Fischer Avenue, Suite D1
Costa Mesa, CA 92626
Telephone: (800) 400-6808
Facsimile: (800) 520-5523
Attorneys for Plaintiffs

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

**KATHLEEN HOLT and JOSE
RUVALCABA, Individually and On
Behalf of All Others Similarly
Situating,**

Plaintiffs,

v.

**FOODSTATE INC. d/b/a
MEGAFOOD d/b/a INNATE
RESPONSE FORMULAS,**

Defendant.

Case No.: 3:15-cv-00078-L-JMA
**JOINT MOTION TO DISMISS
WITHOUT PREJUDICE**

Kazerouni Law Group, APC
Costa Mesa, California

JOINT MOTION TO DISMISS

NOW COME the Parties, by and through their respective attorneys, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), hereby stipulate and agree to the voluntary dismissal without prejudice of Plaintiffs’ individual claims and putative class claims against Defendant Foodstate Inc. d/b/a Megafoods d/b/a Innate Response Formulas.

Therefore, the Court may proceed to dismiss the action in its entirety without prejudice. The Parties are to bear their own fees and costs.

Respectfully submitted,

Dated: May 17, 2017

KAZEROUNI LAW GROUP, APC

BY: /s/ ABBAS KAZEROUNIAN
ABBAS KAZEROUNIAN, ESQ.
AK@KAZLG.COM
ATTORNEY FOR PLAINTIFFS

Dated: May 17, 2017

TATRO TEKOSKY SADWICK LLP

BY: /s/ RENE P. TATRO
RENE P. TATRO, ESQ.
RENETATRO@TTSMLAW.COM
ATTORNEY FOR DEFENDANT

Kazerouni Law Group, APC
Costa Mesa, California

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Kazerouni Law Group, APC, 245 Fischer Avenue, Suite D1, Costa Mesa, California 92626. On May 17, 2017, I served the within document(s):

JOINT MOTION TO DISMISS WITHOUT PREJUDICE

- CM/ECF - by transmitting electronically the document(s) listed above to the electronic case filing system on this date before 11:59 p.m. The Court’s CM/ECF system sends an e-mail notification of the filing to the parties and counsel of record who are registered with the Court’s CM/ECF system.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on May 17, 2017, at Costa Mesa, California.

/s/ Jason Ibey
JASON IBEY