

Kazerouni Law Group, APC
Costa Mesa, California

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Attorneys for Plaintiffs,
Matthew Gates and John Martinez

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

| | |
|--|---|
| <p>Matthew Gates and John Martinez, Individually And On Behalf Of All Others Similarly Situated,</p> <p>Plaintiffs,</p> <p>v.</p> <p>MusclePharm Corporation,</p> <p>Defendant.</p> | <p>Case No.: 15-cv-02870-BAS-DHB</p> <p>JOINT STIPULATION TO DISMISS THE CASE PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)</p> <p>Judge: Hon. Cynthia Bashant</p> |
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1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), plaintiffs Matthew
2 Gates and John Martinez (“Plaintiffs”) and defendant MusclePharm Corporation
3 (“Defendant”) submit this joint stipulation to dismiss Plaintiffs’ individual claims
4 with prejudice and the putative class members’ claims without prejudice.
5 Therefore, the Court may dismiss the action in its entirety, dismissing the
6 Plaintiffs’ individual claims WITH PREJUDICE and the putative class members’
7 claims WITHOUT PREJUDICE. The parties are to bear their own fees and costs.

8 IT IS SO STIPULATED.

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12 Respectfully submitted,

KAZEROUNI LAW GROUP, APC

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14 Date: August 9, 2016

15 By: /s/ Andrei Armas
16 Abbas Kazerounian
17 Andrei Armas
18 *Attorneys for Plaintiffs*

19
20 **SHEPPARD, MULLIN, RICHTER
& HAMPTON, LLP**

21
22 Date: August 9, 2016

23 By: /s/ Sascha Henry
24 Sascha Henry
25 *Attorney for Defendant*

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1 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies
2 and Procedures Manual, I hereby certify that the content of this document is
3 acceptable to defense counsel and that I have obtained defense counsel's
4 authorization to affix defense counsel's electronic signatures to this document.
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6
7 Respectfully submitted,

8 **KAZEROUNI LAW GROUP, APC**

9 Date: August 9, 2016

By: /s/ Andrei Armas

Andrei Armas

Attorney for Plaintiffs

Kazerouni Law Group, APC
Costa Mesa, California

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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, 1939 Harrison Street, Suite 912, Oakland, CA 94612. On August 9, 2016, I served the within document(s):

JOINT STIPULATION TO DISMISS THE CASE PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)

- 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 declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on August 9, 2016, in Oakland, California.

By: /s/ Andrei Armas
ANDREI ARMAS, ESQ.