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6 *(Additional Plaintiffs' Counsel On Signature Page)*

7 Attorneys for Plaintiffs And The
8 Proposed Class

9 UNITED STATES DISTRICT COURT

10 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

11 HEATHER CARSON and MARK
12 SANDERS-FERRIERA, individually
and on behalf of others similarly
situated, ,

13 Plaintiffs,

14 vs.

15 WAYFAIR, INC., a Delaware
16 corporation,

17 Defendant.

Case No. 2:16-cv-00716-PA (GJSx)

**PLAINTIFFS' NOTICE OF
VOLUNTARY DISMISSAL
WITHOUT PREJUDICE
PURSUANT TO FEDERAL RULE
OF CIVIL PROCEDURE 41(A)(1)**

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19 **PLEASE TAKE NOTICE** that Plaintiffs Heather Carson and Mark Sanders-
20 Ferriera ("Plaintiffs"), pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby
21 voluntarily dismiss all claims in this action *without prejudice* as to Defendant
22 Wayfair, Inc.

23 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

24 (a) Voluntary Dismissal.

25 (1) *By the Plaintiff.*

26 (a) *Without a Court Order.* Subject to Rules 23(e), 23.1(c),
27 23.2 and 66 and any applicable federal statute, the plaintiff
28 may dismiss an action without a court order by filing:

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(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.

Defendant has neither answered Plaintiffs' First Amended Complaint, nor filed a motion for summary judgment. Accordingly, this matter may be dismissed without prejudice and without an Order of the Court.

DATED: May 9, 2016 **ROBERTSON & ASSOCIATES, LLP**

/ s / Alexander Robertson, IV

By:

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 9th day of May, 2016, the foregoing document entitled **PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(A)(1)** was filed electronically on the CM/ECF system, which caused all CM/ECF participants to be served by electronic means.

/s/ Ann Russo
An Employee of Robertson & Associates, LLP