

No. 16-15389

In the
United States Court of Appeals
for the
Ninth Circuit

TROY BACKUS,
on behalf of himself and all others similarly situated,

Plaintiff-Appellant

v.

NESTLE USA, INC.
Defendant-Appellee.

Appeal from an Order of the United States District Court for the Northern District
of California, Case No. 3:15-1963-MMC

APPELLANT'S MOTION TO VOLUNTARILY DISMISS APPEAL

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Attorneys for Plaintiff-Appellant Troy Backus

Pursuant to Fed. R. App. P. 42(b), Plaintiff-Appellant hereby withdraws his notice of appeal and voluntarily moves the Court for an order dismissing this appeal.

Dated: September 6, 2016

Respectfully Submitted,

/s/ Gregory S. Weston

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