

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Timothy Condon, individually on behalf of himself :
and all others similarly situated and John Does (1- :
100) on behalf of themselves and all others :
similarly situated, :

Index Number: 7:16-cv-02295-VB

Plaintiff,

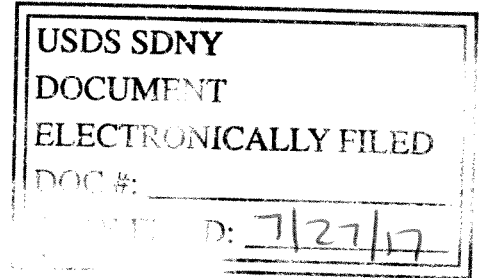
v.

Commonwealth Dairy LLC,

Defendant.

X

(+ ORDER)
**JOINT STIPULATION OF DISMISSAL
WITH PREJUDICE**



Whereas, Plaintiff filed his complaint on March 29, 2016;

Whereas, Defendant answered the complaint on February 7, 2017;

Whereas, no class has been certified in this action;

Whereas, the parties have agreed to the dismissal with prejudice of Mr. Condon's individual claims;

Whereas, Federal Rule of Civil Procedure 41(a)(1)(A)(ii) permits voluntary dismissal of an action without a court order by stipulation of the parties;

And **WHEREAS**, Federal Rule of Civil Procedure 23(e) permits dismissal of a class action on an individual basis where no class has been certified:

Plaintiff Timothy Condon hereby dismisses his individual case with prejudice.

Dated: July 26, 2017

THE SULTZER LAW GROUP, P.C.

DOWNS RACHLIN MARTIN PLLC


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Counsel for Defendant
Commonwealth Dairy LLC

SO ORDERED:



Hon. Vincent L. Briceetti
United States District Judge

→ Clerk is instructed to close
this case.