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

11
12 MATTHEW LOPEZ, individually and on) CASE NO. 3:16-cv-00716-AJB-MDD
behalf of all others similarly situated,)
13)
14 Plaintiff,) **JOINT MOTION TO DISMISS**
) **WITH PREJUDICE PURSUANT TO**
15 vs.) **FRCP 41(a)(1)(A)(ii)**
)
16)
17 PALEOHACKS, LLC, a Nevada limited)
liability company; and DOES 1 – 10,)
18 inclusive,)
)
19 Defendant.)
20)

21
22 TO THE HONORABLE COURT, TO ALL PARTIES HEREIN AND TO
23 THEIR RESPECTIVE COUNSEL OF RECORD:

24 PLEASE TAKE NOTICE that Plaintiff MATTHEW LOPEZ
25 (“Plaintiff”), through his counsel of record, Scott J. Ferrell of the Newport Trial
26 Group and Defendant PALEOHACKS, LLC (“Defendant”), through their counsel
27 of record, David J. Kaminski of Carlson & Messer LLP, hereby file this Joint
28 Motion to Dismiss the action of Plaintiff MATTHEW LOPEZ with prejudice and

1 to dismiss without prejudice, the class action claims asserted in the lawsuit
2 pursuant to FRCP 41(a)(1)(A)(ii).

3 Each party to bear their own costs and expenses.

4
5 **NEWPORT TRIAL GROUP**

6 Dated: May 13, 2016

s/ Scott J. Ferrell

7 Scott J. Ferrell

Attorneys for Plaintiff,

MATTHEW LOPEZ

8
9
10 **CARLSON & MESSER LLP**

11 Dated: May 13, 2016

s/ David J. Kaminski

12 David J. Kaminski

13 Shawn S. Eldridge

Attorneys for Defendant,

PALEOHACKS, LLC.

SIGNATURE CERTIFICATION

1
2
3 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative
4 Policies and Procedures Manual, I hereby certify that the content of this document
5 is acceptable to Scott J. Ferrell, counsel for Plaintiff, and that I have obtained his
6 authorization to affix his electronic signature to this document.

7
8 **CARLSON & MESSER LLP**

9 Dated: May 13, 2016

s/ David J. Kaminski
David J. Kaminski
Attorneys for Defendant,
PALEOHACKS, LLC

CERTIFICATE OF SERVICE

1
2
3 I hereby certify that on this 13th of May 2016, a true and accurate copy of the
4 foregoing **JOINT MOTION TO DISMISS WITH PREJUDICE PURSUANT TO**
5 **FRCP 41(a)(1)(A)(ii)** was served via the U.S. District Court ECF system on the
6 following e-mail(s):

7
8 sferrell@trialnewport.com

9
10 s/ David J. Kaminski
11 David J. Kaminski
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