

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KENNETH WHITAKER, on behalf of himself  
and others similarly situated,

Plaintiff,

vs.

HERR FOODS, INC., d/b/a HERR's,  
a Pennsylvania corporation,

Defendant.

Civil Action No. 2:16-cv-02017

STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between counsel for Plaintiff Kenneth Whitaker and Defendant Herr Foods, Inc. that:

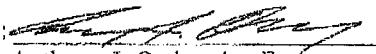
1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff hereby voluntarily dismisses all claims in the above-captioned action WITH PREJUDICE.
2. Each party shall bear its own costs, expenses, and attorney fees.

Dated: January 9, 2017

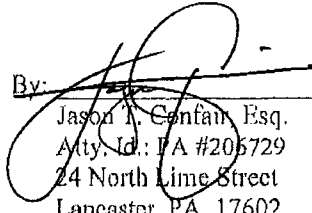
CounselOne, Professional Corporation

Kegel Kelm Almy & Lord LLP

By:

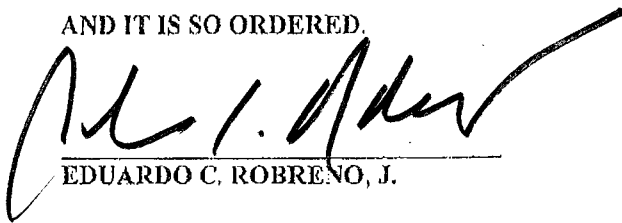
  
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Attorney for Defendant

AND IT IS SO ORDERED.

Dated: January 11, 2017

  
EDUARDO C. ROBRENO, J.

*Case shall be marked closed.*