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BY FAX

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 6 1901 Avenue of the Stars, Suite 935  
 7 Los Angeles, California 90067  
 8 Tel.: (310) 407-7888 \* Fax: (310) 407-7915

**FILED**  
 Superior Court of California  
 County of Los Angeles  
 OCT 10 2017  
 Sherril R. Carter, Executive Officer/Clerk  
 By J. Jaime, Deputy

9 Attorney for Plaintiff and Class Members  
 10 DAVID DESMOND, et al.

11 MESSNER REEVES, LLP  
 12 Charles C. Cavanagh, Esq. (SBN: 198468)  
 13 ccavanagh@messner.com  
 14 1430 Wynkoop Street, Suite 300  
 15 Denver, Colorado 80202  
 16 Tel: (303) 623-1800 \* Fax: (303) 623-0552

17 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP  
 18 Sascha Henry, Esq. (SBN: 191914)  
 19 shenry@sheppardmullin.com  
 20 333 South Hope Street, 43rd Floor  
 21 Los Angeles, California 90071-1422  
 22 Tel: 213.620.1780 \* Fax: 213.620.1398

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 Central Civil West  
 JUL 07 2017

23 Attorneys for Defendant  
 24 CHIPOTLE MEXICAN GRILL, INC.

Date Processed \_\_\_\_\_  
 By: [Signature]

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 COUNTY OF LOS ANGELES, UNLIMITED JURISDICTION

25 DAVID DESMOND, EDWARD GUREVICH )  
 26 and YOUNG HOON KIM, individually, and )  
 27 on behalf of all others similarly situated, )  
 28  
 Plaintiff(s),  
 vs.  
 CHIPOTLE MEXICAN GRILL, INC., a  
 Delaware corporation; and DOES 1-100,  
 Inclusive,  
 Defendant(s).

CASE NO.: BC640700  
CLASS ACTION  
 STIPULATION AND [PROPOSED]  
 ORDER RE DISMISSAL WITH PREJUDICE  
 Assigned for All Purposes to:  
 Hon. Ann. I Jones, Judge Presiding  
 Department 308  
 Complaint Filed: 11/15/2016

RECEIPT #: CC0477461014  
 DATE PAID: 07/10/17 12:53 PM  
 PAYMENT: \$20.00  
 RECEIVED: 310

FILED #:  
 CIT/CASE: BC640700  
 (40100)

DESMOND, et al. v. CHIPOTLE MEXICAN GRILL, INC., et al.  
 STIPULATION AND [PROPOSED] ORDER RE DISMISSAL

\$20.00  
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11:52 AM  
CLERK  
SUPERIOR COURT  
LOS ANGELES

1           WHEREAS, on November 15, 2017, Plaintiffs filed a putative class action against  
2           CHIPOTLE MEXICAN GRILL, INC. ("CHIPOTLE") in the Los Angeles Superior Court,  
3           alleging on behalf of a putative California class of consumers that CHIPOTLE sold their  
4           CHORIZO BURRITO Product using false nutritional information by undercounting the amount  
5           of calories therein, to California consumers;

7           WHEREAS, on March 8, 2017, CHIPOTLE filed its Answer, denying all of Plaintiffs'  
8           claims and asserting numerous defenses thereto;

10           WHEREAS, California Rules of Court, rule 3. 770, requires court approval of any  
11           dismissals of putative class actions;

12           and,

13           WHEREAS, the parties have disclosed to this Honorable Court the material terms of the  
14           settlement through the Declaration of Alexander J. Perez, filed concurrently herewith;

15           NOW, THEREFORE, the Parties, through their respective counsel of record, HEREBY  
16           STIPULATE AND AGREE and respectfully request that this Honorable Court enter an Order as  
17           follows:

19           1. The Court having reviewed the material terms of the Settlement Agreement, as  
20           contained in the Declaration of Alexander J. Perez, as required by Rule 3.770 of the California  
21           Rules of Court;

22           2. This Settlement Agreement contemplates resolution without prejudice to any member  
23           of the putative plaintiff class, other than named plaintiffs DAVID DESMOND, EDWARD  
24           GUREVICH and YOUNG HOON KIM;

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FILED

3. The case should be, and hereby is, dismissed with prejudice, as to the named Plaintiffs.

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Date: June 26, 2017

ABIR COHEN TREYZON/SALO, LLP



By: Boris Freyson, Esq.  
Alexander J. Perez, Esq.  
Attorneys for Plaintiffs  
DAVID DESMOND, EDWARD  
GUREVICH and YOUNG HOON KIM

Date: May \_\_\_\_\_, 2017

MESSNER REEVES, LLP

By: \_\_\_\_\_  
Charles C. Cavanagh, Esq.  
Attorneys for Defendant  
CHIPOTLE MEXICAN GRILL INC.

Date: July 6, 2017

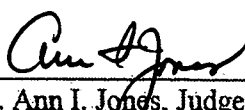
SHEPPARD, MULLIN, RICHTER  
& HAMPTON LLP

By: Sascha Henry  
Sascha Henry, Esq.  
Attorneys for Defendant  
CHIPOTLE MEXICAN GRILL INC.

////

IT IS SO ORDERED:

October  
~~November~~  
30, 2017

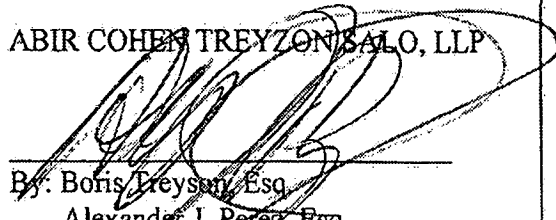
  
Hon. Ann I. Jones, Judge Presiding

3. The case should be, and hereby is, dismissed with prejudice, as to the named Plaintiffs.

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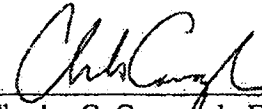
Date: June 26, 2017

ABIR COHEN TREYZON SALO, LLP

  
By: Boris Treysan, Esq.  
Alexander J. Perez, Esq.  
Attorneys for Plaintiffs  
DAVID DESMOND, EDWARD  
GUREVICH and YOUNG HOON KIM

June  
Date: ~~May~~ 29, 2017

MESSNER REEVES, LLP

By:   
Charles C. Cavanagh, Esq.  
Attorneys for Defendant  
CHIPOTLE MEXICAN GRILL INC.

Date: May \_\_\_\_\_, 2017

SHEPPARD, MULLIN, RICHTER  
& HAMPTON LLP

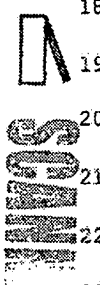
By: \_\_\_\_\_  
Sascha Henry, Esq.  
Attorneys for Defendant  
CHIPOTLE MEXICAN GRILL INC.

////

**IT IS SO ORDERED:**

June \_\_\_\_\_, 2017

Hon. Ann I. Jones, Judge Presiding



71079077

**PROOF OF SERVICE**

1  
2 **STATE OF CALIFORNIA** )  
3 **COUNTY OF LOS ANGELES** ) ss:

4 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and  
5 not a party to the within action; my business address is: 1901 Avenue of the Stars, Suite 935, Los  
6 Angeles, California 90067.

7 On July 7, 2017, I served the foregoing document described as:

**STIPULATION AND [PROPOSED] ORDER RE DISMISSAL WITH PREJUDICE**

8 on the parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as  
9 follows:

10 MESSER REEVES, LLP Charles Cavanagh, Esq. 1430 Wynkoop St., Suite 300 Denver, CO 80202 12 Fax: (303) 623-0552 ccavanagh@messner.com	<i>Counsel for Defendant Chipotle Mexican Grill, Inc.</i>
13 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP 14 Sascha Henry, Esq. 333 South Hope Street, 43 <sup>rd</sup> Floor 15 Los Angeles, CA 90071-1422 16 shenry@sheppardmullin.com	

17  **BY MAIL:** By placing a true and correct copy of the above-described document(s) in envelope(s),  
18 addressed as set forth above, with first class postage pre-paid for delivery to the above-named persons at  
19 the above-listed addresses and depositing such envelopes in a US mail collection box.

20  **BY OVER NIGHT DELIVERY, VIA GOLDEN STATE OVERNIGHT:** I gave the document(s)  
21 to our overnight courier service for its daily pick-up for delivery to the offices of the addressee,  
22 addressed as set forth above.

23  **BY PERSONAL SERVICE, VIA FIRST LEGAL ATTORNEY SERVICE:** I gave said  
24 documents to the firm's regular attorney service with specific instructions to be personally delivered by  
25 hand to the offices of the addressee, addressed as set forth above.

26  **BY PERSONAL SERVICE (Ex Parte):** I personally delivered by hand to the attorney in  
27 attendance on behalf of the above-named counsel at the hearing of \_\_\_\_\_, in  
28 Department \_\_\_ of the \_\_\_\_\_ Courthouse, \_\_\_\_\_  
California.

**BY ELECTRONIC SERVICE VIA CASE ANYWHERE:** In accordance with the Court's Order  
Authorizing Electronic Service requiring all documents to be served upon interested parties via the Case  
Anywhere System

**Proof of Service**

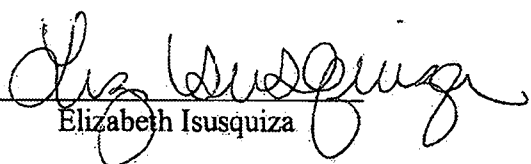
1  **BY FACSIMILE:** I faxed said document(s) to the addressee, at the specified fax numbers shown  
2 above.

3  
4  **COURTESY COPY BY ELECTRONIC MAIL:** I transmitted courtesy copies of said  
5 document(s) to the person(s) shown above by electronic mail to the email address shown above.

6  (State) I declare under penalty of perjury under the laws of the State of California that the above  
7 is true and correct.

8  (Federal) I declare that I am employed in the office of a member of the bar of this court at whose  
9 direction the service was made.

10 Executed on July 7, 2017, at Los Angeles, California.

11  
12   
13 Elizabeth Isusquiza