

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

MICHAEL KOSTA, et al.

Plaintiff - Appellant,

v.

DEL MONTE FOODS, INC.

Defendant - Appellee.

9th Cir. No. 15-16974

STIPULATED MOTION TO
VOLUNTARILY DISMISS
APPEAL

Pursuant to Federal Rule of Appellate Procedure 42(b), all parties hereby move the Court for an order dismissing the above-captioned appeal.

The parties have agreed that each side shall bear its own costs and fees on appeal.

Dated: Sep 5, 2017 _____

/s/ Pierce Gore

Attorney for Appellant

/s/ William L. Stern

Attorney for Appellee

ATTESTATION

I, William L. Stern, am the ECF User whose ID and password are being used to file this document. I hereby attest that Pierce Gore concurs in this filing.

/s/ William L. Stern

William L. Stern

CERTIFICATE OF SERVICE

I hereby certify and I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on September 5, 2017.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

/s/ William L. Stern

William L. Stern