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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10

11 MICHAEL GONZALES, individually and
on behalf of all others similarly situated,

12 Plaintiff,

13 v.

14 FUSION BRANDS AMERICA INC., a
15 Delaware corporation; and DOES 1
through 10, inclusive,

16 Defendants.
17

Case No. 8:17-cv-1598

**PLAINTIFF'S NOTICE OF
VOLUNTARY DISMISSAL
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41(a)(1)(A)(i)**

Complaint filed: June 5, 2017

1 NOTICE IS HEREBY GIVEN that pursuant to Rule 41(a)(1)(A)(i) of the Federal
2 Rules of Civil Procedure, Plaintiff MICHAEL GONZALES voluntarily dismisses the
3 above-captioned action with prejudice as to his individual claims, and without prejudice
4 as to the putative class. Defendant FUSION BRANDS AMERICA INC. has neither
5 answered nor filed a motion for summary judgment.

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7 Respectfully submitted,

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9 Dated: October 23, 2017

PACIFIC TRIAL ATTORNEYS, APC

10 By: /s/ Scott J. Ferrell
11 Scott. J. Ferrell
12 Attorneys for Plaintiff
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CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2017, I electronically filed the foregoing **PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i)** with the Clerk of the Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record.

/s/ Scott J. Ferrell
Scott J. Ferrell

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