

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

ALIZA ATIK and WINNIE LAU, on behalf
of himself and all others similarly situated,

Plaintiffs,

v.

WELCH FOODS INC., A COOPERATIVE
AND THE PROMOTION IN MOTION
COMPANIES, INC.,

Defendants.

Case No. 15-cv-05405

**STIPULATION OF PLAINTIFF WINNIE LAU'S VOLUNTARY DISMISSAL
PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)**

IT IS HEREBY STIPULATED AND AGREED pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), by and between counsel for the parties hereby, that Plaintiff Winnie Lau's individual claims in the above-captioned action are voluntarily dismissed with prejudice as to all Defendants, and that Plaintiff Lau's putative class claims on behalf of the Proposed California Sub-Class in the above-captioned action are voluntarily dismissed without prejudice as to all Defendants.

Voluntary dismissal of Plaintiff Lau's claims is appropriate under Fed. R. Civ. P. 23(e) because (1) the putative class has not yet been certified, and no prejudice to members of the putative class will result; and (2) Plaintiff Lau has received no compensation in consideration for the voluntary dismissal of her claims.

Dated: November 3, 2017

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