

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

ALIZA ATIK, on behalf of herself and all  
others similarly situated,

Plaintiffs,

v.

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

Defendants.

Case No. 15-cv-5405-MKB-VMS

**STIPULATION OF PLAINTIFF ALIZA ATIK'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 herein, that Plaintiff Aliza Atik's individual claims in the above-captioned action are voluntarily dismissed with prejudice as to all Defendants, and that Plaintiff's putative class claims on behalf of the proposed class and sub-class in the above-captioned action are voluntarily dismissed without prejudice as to all Defendants.

Voluntary dismissal of Plaintiff'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 has received no compensation in consideration for the voluntary dismissal of her claims.

Dated: December 19, 2017

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