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5 *Attorneys for Plaintiff,*  
Stephanie Bauman  
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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

<p>10 STEPHANIE BAUMAN, 11 Individually and on Behalf of All 12 Others Similarly Situated,  13 Plaintiff, 14 v. 15 AUSTRALIAN GOLD, LLC, 16 Defendant. 17</p>	<p>11 <b>Case No.: 3:18-cv-01682-L-BGS</b>  13 <b>JOINT MOTION FOR</b> 14 <b>DISMISSAL OF ACTION WITH</b> 15 <b>PREJUDICE AS TO THE</b> 16 <b>NAMED PLAINTIFF AND</b> 17 <b>WITHOUT PREJUDICE AS TO</b> 18 <b>THE PUTATIVE CLASS</b>  19 <b>HON. M. JAMES LORENZ</b></p>
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23 Plaintiff STEPHANIE BAUMAN, hereby moves to dismiss the above  
24 entitled action with prejudice as to the named Plaintiff and without prejudice as to  
25 the Putative Class, pursuant to Fed. R. Civ. Procedure 41(a)(1)(ii), each party shall  
26 bear her/its own costs. The notice and approval requirements of Federal Rule of  
27 Civil Procedure 23(e) are inapplicable to the parties' settlement and dismissal of  
28 this Putative Class action because this action has not been certified as a class.

HYDE & SWIGART  
San Diego, California

1 WHEREFORE, Plaintiff respectfully requests that this Court dismiss this  
2 action with prejudice as to the named Plaintiff, and without prejudice as to the  
3 Putative Class.

4 Respectfully submitted,

5  
6 Dated: August 15, 2019

**HYDE & SWIGART, APC**

7 By: s/Yana A. Hart  
8 Yana A. Hart  
9 *Attorneys for Plaintiff*

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11  
12 Date: August 15, 2019

**HINSHAW & CULBERTSON LLP**

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14 By: s/ Frederick John Ufkes  
15 Frederick John Ufkes  
16 *Attorneys for Defendant*

17 **Signature Certification**

18 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative  
19 Policies and Procedures Manual, I hereby certify that the content of this  
20 document is acceptable to Frederick John Ufkes, counsel for the Defendant, and  
21 that I have obtained his authorization to affix his electronic signature to this  
22 document.

23  
24  
25 Dated: August 15, 2019

**HYDE & SWIGART, APC**

26 By: s/Yana A. Hart  
27 Yana A. Hart  
28 *Attorneys for Plaintiff*

HYDE & SWIGART  
San Diego, California

*S. Bauman v. Australian Gold, LLC*  
*Case No.: 3:18-cv-01682-L-BGS*  
*United States District Court, Southern District of California*

**CERTIFICATE OF SERVICE**

I, Antonia Smith, the undersigned, declare as follows:

I am over the age of eighteen years and not a party to the case. I am employed in the County of San Diego, California where the mailing occurs: My business address is 2221 Camino Del Rio South, Suite 101, San Diego, CA 92108. I am readily familiar with our business' practice of collecting, processing and mailing of correspondence and pleadings for mail with the United Postal Service.

On the date below I electronically filed with the Court through its CM/ECF program, which will electronically mail notice to all attorneys of record in said case through the same program, the following document(s):

- **JOINT MOTION FOR DISMISSAL OF ACTION WITH PREJUDICE AS TO THE NAMED PLAINTIFF AND WITHOUT PREJUDICE AS TO THE PUTATIVE CLASS**

ELECTRONICALLY, Pursuant to the CM/ECF System, registration as a CM/ECF user constitutes consent to electronic service through the Court's transmission facilities. The Court's CM/ECF system sends an email notification of the filing to the parties and counsel of record listed above who are registered with the Court's CM/ECF system.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on Thursday, August 15, 2019, at San Diego, California.

  
\_\_\_\_\_  
Antonia Smith

