

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

MELODY DIGREGORIO, ERIC FISHON,  
KERRY AUSTIN, and NAFEESHA MADYUN,  
on behalf of themselves, all others similarly  
situated, and the general public,

Plaintiffs,

v.

KELLOGG SALES COMPANY,

Defendant.

Case No. 3:19-cv-0632-GTS-ATB

Hon. Glenn T. Suddaby

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE**  
**PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)**

IT IS HEREBY STIPULATED by and between the parties to this action through their designated counsel that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiffs Melody Digregorio, Eric Fishon, Kerry Austin, and Nafeesha Madyun's individual and representative claims in the above-captioned action be and hereby are voluntarily dismissed without prejudice, and the claims of putative class members be and hereby are also voluntarily dismissed without prejudice.

**IT IS SO STIPULATED.**

[continued on following page]

Dated: October 10, 2019

Respectfully Submitted,

/s/ Melanie Persinger<sup>1</sup>

**THE LAW OFFICE OF  
JACK FITZGERALD, PC**  
JACK FITZGERALD  
*jack@jackfitzgeraldlaw.com*  
TREVOR M. FLYNN  
*trevor@jackfitzgeraldlaw.com*  
MELANIE PERSINGER  
*melanie@jackfitzgeraldlaw.com*  
Hillcrest Professional Building  
3636 Fourth Avenue, Suite 202  
San Diego, CA 92103  
Phone: (619) 692-3840  
Fax: (619) 362-9555

*Class Counsel*

Dated: October 10, 2019

Respectfully Submitted,

/s/ Dean N. Panos

**JENNER & BLOCK LLP**  
Elizabeth A. Edmondson (N.Y. Reg. 4705539)  
*eedmondson@jenner.com*  
919 Third Avenue  
New York, NY 10022  
Tel.: (212) 891-1600  
Fax: (212) 891-1699

Dean N. Panos (*pro hac vice*)  
*dpanos@jenner.com*  
353 N. Clark Street  
Chicago, IL 60654  
Tel.: (312) 222-9350

Kate T. Spelman (*pro hac vice*)  
*kspelman@jenner.com*  
Alexander M. Smith (*pro hac vice*)  
*asmith@jenner.com*  
633 West 5th Street

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<sup>1</sup> Pursuant to Paragraph 6.3 of the Northern District of New York's Administrative Procedures for Electronic Case Filing, I, Melanie Persinger, attest that Dean Panos has concurred in the content of this Joint Stipulation and has authorized the use of his electronic signature.

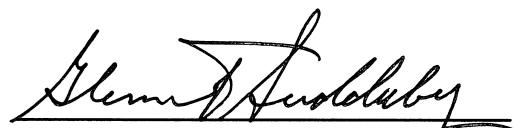
Los Angeles, CA 90071  
Tel: (213) 239-5100

*Attorneys for Defendant Kellogg Sales Company*

**IT IS SO ORDERED:**

Dated: October 11, 2019

By:

  
Hon. Glenn T. Suddaby  
Chief U.S. District Judge