

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MATTHEW DOWNING,  
Individually and on Behalf of All  
Other Persons Similarly Situated,

*Plaintiff,*

v.

KEURIG GREEN MOUNTAIN, INC.,

*Defendant*

Case No. 1:20-cv-11673-IT

**STIPULATED DISMISSAL WITH PREJUDICE**

Under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Matthew Downing and Keurig Green Mountain, Inc. stipulate to the dismissal of all claims in this case with prejudice. Mr. Downing's claims have been resolved by a class-action settlement that has been finally approved by a federal district court in California. *Smith v. Keurig Green Mountain, Inc.*, No. 18-cv-06690-HSG, Dkt. 166 (N.D. Cal. Feb. 27, 2023). The parties will bear their own attorneys' fees and costs.

April 18, 2023

/s/ Ian J. McLoughlin

Edward F. Haber (BBO #215610)  
Ian J. McLoughlin (BBO #647203)  
Patrick Valley (BBO #663866)  
Shapiro Haber & Urmy LLP  
Two Seaport Lane, Sixth Floor  
Boston, MA 02210  
Telephone: (617) 439-4939  
ehaber@shulaw.com  
imcloughlin@shulaw.com  
pvalley@shulaw.com

Respectfully submitted,

/s/ James L. Tuxbury

James L. Tuxbury (BBO #624916)  
HINCKLEY ALLEN  
28 State Street  
Boston, MA 02109  
Telephone: (617) 345-9000  
JTuxbury@hinckleyallen.com

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party via the Court's CM/ECF system on April 18, 2023.

/s/ Ian J. McLoughlin

Ian J. McLoughlin