

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**WILLIAM MIGNIN, III, INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS SIMILARLY SITUATED,**

Plaintiff,

v.

MARS, INC.,

Defendant.

Case No.1:22-cv-04243

Hon. Virginia M. Kendall

Hon. Beth W. Jantz

**PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE
PURSUANT TO FED. R. CIV. P. 41**

Plaintiff, William Mignin, III, (“Mr. Mignin), by and through his undersigned counsel, respectfully requests that this Court grant Plaintiff’s Motion for Voluntary Dismissal Without Prejudice, and in support thereof, states as follows:

1. Mr. Mignin filed his class action complaint on or around August 11, 2022 . (Dkt. #1).
2. On or around September 30, 2022, Defendant filed a Motion to Dismiss. (Dkt. #22).
3. Pursuant to Fed. R. Civ. P. 41(a)(1)(A), Plaintiff may file a notice of dismissal, without a Court Order, before the opposing party serves either an answer or a motion for summary judgement.
4. Here, Defendant has not filed an Answer or a Motion for Summary Judgement.
5. WHEREFORE, Plaintiff respectfully requests that this Court enter an Order dismissing Plaintiff’s Complaint without prejudice and grant any other relief it deems necessary.

Respectfully submitted,

Dated: October 14, 2022

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CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of October 2022, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send notice of electronic filing to all counsel who have registered for receipt of documents filed in this matter.

/s/ Elizabeth C. Chavez
Elizabeth C. Chavez