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9 *Attorneys for Plaintiffs*

10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA**

12 BARRY N. KAY & BRYAN J. DODGE, JR.,
13 individually and on behalf of all others similarly
situated,

14 Plaintiffs,

15 v.

16 COPPER CANE, LLC d/b/a COPPER CANE
17 WINES & PROVISIONS, a California corporation,

18 Defendant.

Case No.: 3:20-cv-04068-RS

STIPULATION OF DISMISSAL

1 The Parties, Jr., by and through their undersigned counsel and pursuant to Fed. R. Civ. P.
2 41(a)(1)(A)(ii), hereby stipulate that:

- 3 1. This action shall be DISMISSED with prejudice as between Plaintiffs and Defendant;
- 4 2. No motion for class certification has been filed, and no class has been certified in this action.
5 Therefore, class notice and court approval of this dismissal are not required under the Federal
6 Rules; and
- 7 3. Each party shall bear their own costs and fees, including attorneys' fees, incurred in
8 connection with this action.

9 Dated: January 3, 2023

Respectfully submitted,

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11 **HOLLAND & KNIGHT LLP**

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12 By :/s/ J. Matthew Donohue

By :/s/ Todd D. Carpenter

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**UNITED STATES DISTRICT COURT
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COPPER CANE, LLC d/b/a COPPER CANE
WINES & PROVISIONS, a California
corporation,

Defendant.

Case No.: 3:20-cv-04068-RS

**[PROPOSED] ORDER GRANTING
STIPULATION OF DISMISSAL WITH
PREJUDICE**

Before the Court is the stipulation to dismiss this action with prejudice filed by the Parties.

IT IS HEREBY ORDERED that this action is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

Date: _____

HON. RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE