

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ALEXANDER MERCADO and MONICA
ESPAILLAT, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

GNC HOLDINGS, LLC,

Defendant.

Civil Action No. 1:23-cv-01572

Hon. Jed S. Rakoff

PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE

Federal Rule of Civil Procedure 41(a)(1)(A)(i) provides that "the plaintiff may dismiss an action without a court order by filing ... a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Accordingly, Plaintiffs Mercado and Espailat hereby dismiss, with prejudice, all claims against Defendant.

Dated: May 24, 2023

Respectfully submitted,

BURSOR & FISHER, P.A.

By: _____

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Attorneys for Plaintiffs

So ORDERED


JRS

5-24-23

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that a true and correct copy of the foregoing **Plaintiffs' Notice of Voluntary Dismissal with Prejudice** was served on the following individuals on this 23rd day of May 2023 via electronic mail:

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/s/ Frederick J. Klorczyk III

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