

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RILLA MELTON, individually and on behalf)	
of all others similarly situated in Missouri,)	
)	
Plaintiff,)	
v.)	Case No. 4:16-cv-01923
)	
KELLOGG COMPANY,)	
)	
Defendants.)	

**PLAINTIFF’S NOTICE OF DISMISSAL WITHOUT PREJUDICE PURSUANT TO
RULE 41(a)(1)(A)(i)**

COMES NOW Plaintiff, by and through counsel Steelman, Gaunt and Horsefield, and files its notice of dismissal without prejudice pursuant to Rule 41(a)(1)(A)(i) and states and informs the Court as follows:

1. No Defendant has filed an answer or motion for summary judgment.
2. No class has been certified, therefore the provisions of Rule 23(e) are not applicable.
3. This is not a derivative action or an action related to unincorporated associations, and therefore Rules 23.1(c) and 23.2 do not apply.
4. This action does not involve the appointment of a receiver, or an action brought by or against a receiver and no receiver has been appointed. Therefore, the provisions of Rule 66 do not apply to this action.
5. The Plaintiff here has not dismissed any federal or state court claim based on or including the same claim, and Plaintiff specifically dismisses this claim without prejudice.

Respectfully Submitted,

STEELMAN, GAUNT & HORSEFIELD

By: /s/ Stephen F. Gaunt
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned certifies that on this 16th day of January, 2017, the foregoing was electronically filed with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all counsel of record.

/s/ Stephen F. Gaunt
Stephen F. Gaunt