

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

DENNIS MAYER, on Behalf of Himself and  
All Others Similarly Situated,

Plaintiff,

v.

PATRIOT PICKLE INC., ARKK FOOD  
COMPANY, and WAHLBURGERS I, LLC,

Defendants.

Civil Action No.: 1:23-cv-01299-LJV

**STIPULATION FOR VOLUNTARY  
DISMISSAL PURSUANT TO FED. R. CIV.  
P. 41(a)(1)(A)(ii)**

Plaintiff Dennis Mayer (“Plaintiff”) and Defendants Patriot Pickle Inc., ARKK Food Company, and Wahlburgers I, LLC (together, “Defendants” and collectively with the Plaintiff, the “Parties”), by and through their counsel, hereby stipulate to the dismissal of this action without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), and without fees or costs to any of the Parties. The Parties have agreed to settle the claims asserted herein and have filed preliminary approval papers in a related case, *Counts v. ARKK Food Company, et al.*, Case No. 1:23-cv-00236 (N.D. Ill.) (the “Illinois Action”). A copy of the Court’s Order in the Illinois Action granting preliminary approval of the proposed settlement is attached hereto as **Exhibit A**. Additionally, Plaintiff recently became a party to the Illinois Action as a named plaintiff in the operative complaint in that action and will therefore be participating in the Illinois Action going forward.

**IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

Dated: May 6, 2024

Respectfully submitted,

**POMERANTZ LLP**

**GENOVA BURNS LLP**

/s/ Gustavo F. Bruckner

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/s/ Lawrence Bluestone

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