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8 Attorney for Plaintiff

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 RICARDO VASQUEZ, individually and
12 on behalf of all similarly situated persons,

13 Plaintiff,

14 v.

15 FITNESS EQUIPMENT SERVICES,
16 LLC d/b/a Sole Fitness, a Utah limited
17 liability company,

18 Defendant.

Case No. 5:24-cv-01007-KK-SP

**NOTICE OF VOLUNTARY
DISMISSAL WITHOUT PREJUDICE**

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), please take notice that this action is hereby voluntarily dismissed without prejudice in its entirety. Defendant has not served an answer or motion for summary judgment in this action, and Plaintiff has not previously dismissed any action based on the same or similar claim against Defendant. Accordingly, Plaintiff notices voluntary dismissal of this action without prejudice. *See* Fed. R. Civ. P. 41(a)(1)(A)(i) (authorizing dismissal “without a court order . . . before the opposing party serves either an answer or a motion for summary judgment”); Fed. R. Civ. P. 41(a)(1)(B); *Pedrina v. Chun*, 987 F.2d 608, 610 (9th Cir. 1993); *Com. Space Mgmt. Co. v. Boeing Co.*, 193 F.3d 1074, 1077 (9th Cir. 1999).

Dated: July 30, 2024

MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN, PLLC

By: /s/ Alexander E. Wolf
ALEXANDER E. WOLF
Attorney for Plaintiff