

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONNA BEATTY, on behalf of herself and
others similarly situated,

Plaintiff,

v.

QUINCY BIOSCIENCE HOLDING CO.,
INC., QUINCY BIOSCIENCE, LLC,
PREVAGEN, INC. d/b/a SUGAR RIVER
SUPPLEMENTS, QUINCY BIOSCIENCE
MANUFACTURING, LLC, and MARK
UNDERWOOD,

Defendants.

Case No. 1:25-cv-00727-DEH-VF

**STIPULATION OF VOLUNTARY
PARTIAL DISMISSAL PURSUANT
TO F.R.C.P. 41(a)(1)(A)(ii), OR
ALTERNATIVELY F.R.C.P. 21**

**AS TO DEFENDANT MARK
UNDERWOOD AND THE UNJUST
ENRICHMENT CLAIM ONLY**

**STIPULATION OF VOLUNTARY PARTIAL DISMISSAL PURSUANT TO F.R.C.P.
41(a)(1)(A)(ii), OR ALTERNATIVELY F.R.C.P. 21 AS TO DEFENDANT MARK
UNDERWOOD AND THE UNJUST ENRICHMENT CLAIM ONLY**

WHEREAS, on January 24, 2025, Plaintiff Donna Beatty (“Plaintiff”) filed a putative Class Action Complaint (the “Complaint”) against Defendants Quincy Bioscience Holding Company, Inc., Quincy Bioscience, LLC, Prevagen, Inc., d/b/a Sugar River Supplements, Quincy Bioscience Manufacturing, LLC (collectively, “Quincy”), and Mark Underwood (“Underwood” and, together with Quincy, “Defendants”) (ECF 1);

WHEREAS, on January 28, 2025, Defendants waived service of process (ECF 16);

WHEREAS, Defendants’ deadline to respond to the Complaint is March 31, 2025;

WHEREAS, on March 19, 2025, the parties met and conferred regarding Defendants’ anticipated motions to dismiss;

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendants, as follows:

1. Plaintiff dismisses all claims asserted against Defendant Underwood without prejudice;

2. Plaintiff dismisses the unjust enrichment claim asserted against Quincy without prejudice.

3. Plaintiff's claims against Quincy under General Business Law §§ 349 and 350 remain in place, with all parties reserving their respective positions and defenses concerning those claims.

SMITH KRIVOSHEY, PC


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Counsel for Plaintiff Donna Beatty

Dated: March 29, 2025


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Counsel for Defendants Quincy Bioscience Holding Co., Inc., Quincy Bioscience LLC, Prevagen, Inc. d/b/a Sugar River Supplements and Quincy Bioscience Manufacturing, LLC

Dated: March 31, 2025

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Dated: 3/31/25