

TO ALL PARTIES AND ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that this matter came before the Court upon the Motion of Defendants DaVita Healthcare Partners, Inc. and Total Renal Care, Inc. ("DaVita") to Dismiss the Second Amended Complaint in the above-captioned matter (the "Motion"). (Dkt. 75.) For the reasons set forth in the Court's Minute Order dated January 6, 2017 (Dkt. 82), the Court granted the Motion and dismissed the Second Amended Complaint without leave to amend.

Accordingly, it is hereby **ORDERED**, **ADJUDGED AND DECREED** as follows:

- 1. Judgment is entered against Plaintiff and in favor of DaVita on each claim alleged in the Second Amended Complaint;
 - 2. The Clerk is hereby directed to enter judgment in favor of DaVita;
 - 3. Plaintiff shall take nothing by the Second Amended Complaint; and
- 4. DaVita, as the prevailing party, is entitled to recover its costs of suit pursuant to Rule 54 of the Federal Rules of Civil Procedure and Rules 54-1 *et seq*. of the Civil Local Rules.

Dated: January 18, 2017

Hon. S. James Otero District Court Judge

HOGAN LOVELLS US LLP ATTORNEYS AT LAW LOS ANGELES