

1 Joseph S. Messer (IL: 6200036)
Messer Strickler, Ltd.
2 225 W. Washington, Suite 575
Chicago, IL 60606
3 312-334-3440 (Phone)
312-334-3473 (Fax)
4 jmesser@messerstrickler.com
Pro Hac Vice

5 James Louis Kohl (SBN: 120808)
795 Folsom Street, First Floor
6 San Francisco, California 94107
(415)848-2450 (Phone)
7 (415)848 2301 (Fax)
jamesk.legal@gmail.com
8

9 Attorneys for Plaintiffs
DANIEL BRUNO, individually and on behalf of
10 others similarly situated

11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF CALIFORNIA

12 DANIEL BRUNO, Individually and on behalf
13 of others similarly situated,

Case No. 2:17-cv-00327-WBS-EFB

14 Plaintiffs,

**STIPULATION BETWEEN PLAINTIFF
AND DEFENDANT AMERICAN
MARKETING AND MAILING
SERVICES, INC.; and ORDER
DISMISSING AMERICAN MARKETING
AND MAILING WITHOUT PREJUDICE**

15 vs.

16 EQUIFAX INFORMATION SERVICES,
LLC; GENEVA FINANCIAL SERVICES,
17 LLC; RMB WORLD ENTERPRISES, LLC
d/b/a DECISION LINKS; B.B. DIRECT,
18 INC.; GENESIS MARKETING GROUP,
INC. d/b/a HITMAN DIRECT; AMERICAN
19 MARKETING AND MAILING SERVICES,
INC.; STRATEGIC MARKING SERVICES,
20 LLC.

21 Defendants.

22
23 **STIPULATION BETWEEN PLAINTIFF AND DEFENDANT AMERICAN**
MARKETING AND MAILING SERVICES, INC.

24 Plaintiff Daniel Bruno (“Plaintiff”) and defendant American Marketing and Mailing
25 Services, Inc. (“American”) hereby stipulate as follows:

26 WHEREAS, on February 15, 2017, Plaintiff filed the instant action;
27
28

1 WHEREAS, on or around, March 15, 2017, Plaintiff and co-defendants Equifax
2 Information Services, LLC , Geneva Financial Services, LLC, and American entered into a
3 stipulation extending their deadline to respond to the Complaint by 28 days, until April 12, 2017;

4 WHEREAS, on or around April 12, 2017, Defendant American filed its Answer to
5 Complaint with Affirmative Defenses;

6 WHEREAS on or about May 3, 2017, Plaintiff filed a motion to strike American's
7 Affirmative Defenses;

8 WHEREAS on or about May 30, 2017, Plaintiff and American stipulated to reschedule the
9 motion to strike American's Affirmative Defenses.

10 WHEREAS, Plaintiff and American agree to dismiss American from the action;

11 WHEREFORE, Plaintiff and American stipulate as follows:

- 12 1. Defendant, American Marketing and Mailing Services, Inc. is dismissed without
13 prejudice.
- 14 2. This stipulation is without prejudice to the rights, claims, arguments and defenses
15 of all parties.

16 IT IS SO STIPULATED BY:

17 Dated: May 31, 2017

18 By: /s/ James Louis Kohl, Esq.
19 James Louis Kohl, Esq., (SBN: 120808)
20 795 Folsom Street, First Floor
21 San Francisco, CA 94107
(415)848-2450/ FAX (415)848-2301
jamesk.legal@gmail.com

By: /s/ Curtis E. Smolar
Curtis E. Smolar (SBN: 194700)
One Embarcadero Center, Suite 2860
San Francisco, CA 94111
415-268-8000
csmolar@dlphlaw.com

22
23 Pursuant to the parties' stipulation, IT IS SO ORDERED:

24
25 The complaint against American, in its entirety, is hereby dismissed without prejudice.

26 Dated: May 31, 2017

27 
28 WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

1 Joseph S. Messer (IL: 6200036)
Messer Strickler, Ltd.
2 225 W. Washington, Suite 575
Chicago, IL 60606
3 312-334-3440 (Phone)
312-334-3473 (Fax)
4 jmesser@messerstrickler.com
Pro Hac Vice

5 James Louis Kohl (SBN: 120808)
795 Folsom Street, First Floor
6 San Francisco, California 94107
(415)848-2450 (Phone)
7 (415)848 2301 (Fax)
jamesk.legal@gmail.com
8

9 Attorneys for Plaintiffs
DANIEL BRUNO, individually and on behalf of
10 others similarly situated

11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF CALIFORNIA

13 DANIEL BRUNO, Individually and
on behalf of others similarly situated

14 Plaintiffs,

15 vs.

16 EQUIFAX INFORMATION)
SERICES, LLC; GENEVA)
17 FINANCIAL SERVICES, LLC;)
RMB WORLD ENTERPRISES, LLC d/b/a)
18 DECISION LINKS; B.B. DIRECT, INC.;)
GENESIS MARKETING GROUP, INC.)
19 d/b/a HITMAN DIRECT; AMERICAN)
MARKETING AND MAILING)
20 SERVICES, INC.; STRATEGIC)
MARKETING SERVICES, LLC.)

21 Defendants.)
22

CASE NO. 2:17-cv-00327-WBS-EFB

PROOF OF SERVICE OF STIPULATION

23 I am a citizen of the United States and a resident of the State of California. I am over the
24 age of eighteen years, and not a party to the within action. My business address is 795 Folsom
25 Street, First Floor, San Francisco, California 94107, I served via the CM/ECF system the
26 documents described below:

27 **STIPULATION OF PLAINTIFF AND AMERICAN MARKETING AND MAILING**
28

2:17-CV-00327-WBS-EFB

PROOF OF SERVICE

1 **SERVICES, INC.**

2 by Notice of Electronic Filing, which is a notice generated by the CM/ECF system at the time the
3 documents listed above were filed with the Court, to all counsel listed by CM/ECF as
4 “*ATTORNEY TO BE NOTICED.*”

5
6 I declare under penalty of perjury under the laws of the State of California that the above is true
7 and correct.

8
9 Dated: May 31, 2017

Respectfully submitted,

10
11 By: /s/ James L. Kohl, Esq.
12 James Louis Kohl, Esq., SBN: 120808
13 795 Folsom Street, First Floor
14 San Francisco, California 94107
15 (415)848-2450/ FAX (415)848 2301
16 jamesk.legal@gmail.com
17
18
19
20
21
22
23
24
25
26
27
28