

PORTER | SCOTT

A PROFESSIONAL CORPORATION

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Attorneys for Defendants

MAX RAMSAY, erroneously sued as MAXWELL RAMSAY, JON CROSSEN, CORINNE FUERST, ANDY ALSWEET, erroneously sued as ANDREW ALSWEET, KEVIN TOON, JASON PEEBLER, ABIGAIL NEAL, BRYAN DAVIS, MAURA LOPEZ, JEFFREY ORLANDO, and JESSICA HINTZ

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ZOOM IMAGING SOLUTIONS, INC.,

CASE NO. 2:19-cv-01544-WBS-KJN

Plaintiff,

**STIPULATION OF VOLUNTARY
DISMISSAL OF DEFENDANTS**

v.

**ANDREW ALSWEET (erroneously
named), CORRINE FUERST, JESSICA
HINTZ, ABIGAIL NEAL, JEFFREY
ORLANDO AND KEVIN TOON [FRCP
41(a)(1)(A)(ii)]; ORDER OF DISMISSAL**

EDWARD ROE; MAXWELL RAMSAY;
JON CROSSEN; CORINNE FUERST;
ANDREW ALSWEET; KEVIN TOON;
JASON PEEBLER; ABIGAIL NEAL;
POWER BUSINESS TECHNOLOGY,
LLC; BRYAN DAVIS; MAURA LOPEZ;
JEFFREY ORLANDO; JESSICA HINTZ
and DOES 1 through 100, inclusive,

Complaint Filed: August 9, 2019
Trial Date: January 11, 2022
Judge: Hon. William B. Shubb
Magistrate Judge: Hon. Kendal J. Newman

Defendants.

IT IS HEREBY STIPULATED AND AGREED by Plaintiff ZOOM IMAGING SOLUTIONS, INC. and Defendants ANDREW ALSWEET (erroneously named), CORRINE FUERST, JESSICA HINTZ, ABIGAIL NEAL,

1 JEFFREY ORLANDO AND KEVIN TOON (the “Stipulating Parties”), by and
2 through their counsel of record, that all of Plaintiff’s claims against Defendants
3 ANDREW ALSWEET (erroneously named), CORRINE FUERST, JESSICA
4 HINTZ, ABIGAIL NEAL, JEFFREY ORLANDO and KEVIN TOON (“the
5 Stipulating Defendants”) are voluntarily dismissed with prejudice pursuant to Fed.
6 R. Civ. P. 41(a)(1)(A)(ii), with each side to bear their own attorneys’ fees and costs.
7 Each of the Stipulating Defendants agrees that their current counsel of record Porter
8 Scott is authorized to accept service, on behalf of each of the Stipulating
9 Defendants, of any subpoena to appear as a witness at trial or in any proceeding in
10 this matter. Each of the Stipulating Defendants agrees that Porter Scott may release
11 to Plaintiff his or her last known contact information in case Porter Scott refuses to
12 accept service of a subpoena issued to any of the Stipulating Defendants to appear as
13 a witness in this case.

14
15
16 Dated: November 16, 2021

PORTER SCOTT
A PROFESSIONAL CORPORATION

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18 By /s/ Martin N. Jensen
19 Martin N. Jensen
20 Joceline M. Herman
21 Attorneys for Defendants
22 MAX RAMSAY, JON CROSSEN,
23 CORINNE FUERST, ANDY
24 ALSWEET, KEVIN TOON, JASON
25 PEEBLER, ABIGAIL NEAL, BRYAN
26 DAVIS, MAURA LOPEZ, JEFFREY
27 ORLANDO, and JESSICA HINTZ
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OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.

Dated: November 16, 2021

By: /s/ David A. Garcia
David A. Garcia
Carlos Bacio
Drake A. Mirsch
Attorneys for Plaintiff
Zoom Imaging Solutions, Inc.

ORDER OF DISMISSAL

Pursuant to the foregoing stipulation under Fed. R. Civ. P. 41(a)(1)(A)(ii), it is hereby ordered that all of Plaintiff ZOOM IMAGING SOLUTIONS, INC.’s claims against Defendants ANDREW ALSWEET (erroneously named), CORRINE FUERST, JESSICA HINTZ, ABIGAIL NEAL, JEFFREY ORLANDO and KEVIN TOON (“Stipulating Defendants”) in the above-entitled action are dismissed with prejudice, with each party to bear their own attorney’s fees and costs.

Porter Scott shall accept service, on behalf of each of the Stipulating Defendants, of any subpoena to appear as a witness at trial or in any proceeding in this matter. If Porter Scott does not accept or refuses to accept service of a subpoena issued to any of the Stipulating Defendants to appear as a witness in this case, then in that instance Porter Scott shall immediately release to Plaintiff the last known contact information of any of the Stipulating Defendants for whom it has not accepted service of the subpoena to testify as a witness in this case.

Dated: November 17, 2021


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE