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5 Attorneys for Plaintiffs
6 **ESMERALDA CASTANON and JOHN DURON**

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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

10 **ESMERALDA CASTANON and JOHN**
11 **DURON, on behalf of themselves and**
12 **all others similarly situated,**

13 **Plaintiff,**

14 **v.**

15 **WINCO HOLDINGS, INC., an Idaho**
16 **Corporation, doing business as WINCO**
17 **FOODS; and DOES 1-10, inclusive**

18 **Defendants.**

Case No. 2:20-cv-01656-MCE-EFB

**STIPULATION AND ORDER OF
VOLUNTARY DISMISSAL**

Complaint Filed: May 19, 2020
Removal Date: August 20, 2020

19 Pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii), Plaintiff JOHN
20 DURON (“Plaintiff Duron”) and Defendant WINCO HOLDINGS, INC.
21 (“Defendant”), by and through their respective counsel of record, hereby stipulate as
22 follows:

23 1. Plaintiff Duron voluntarily dismisses, and does dismiss, himself as a
24 named plaintiff and putative class representative in the above-captioned action,
25 without prejudice.

26 2. This voluntary dismissal shall not include any claims or causes of action
27 by Plaintiff Esmeralda Castanon against Defendant.

28 3. Plaintiff Duron and Defendant agree to bear his/its own fees and costs
incurred as to Plaintiff Duron only.

1 **IT IS SO STIPULATED.**

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3 Dated: July 6, 2021

JAMES HAWKINS APLC

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By: /s/ Christina M. Lucio
Christina M. Lucio

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Attorneys for Plaintiff
JOHN DURON

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9 Dated: July 6, 2021

SEYFARTH SHAW LLP

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By: /s/ Phillip Ebsworth
Phillip Ebsworth

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Attorneys for Defendant
WINCO HOLDINGS, INC.

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ORDER

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Having reviewed the foregoing stipulation of the parties, and good cause appearing, the Court hereby dismisses Plaintiff Duron as a named plaintiff and putative class representative in this action against Defendant Winco Holdings, Inc., without prejudice. Plaintiff Duron and Defendant Winco Holdings, Inc. will bear his/its own attorneys' fees and costs incurred as to Plaintiff Duron only. The case remains pending as to Plaintiff Castanon's claims.

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IT IS SO ORDERED.

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Dated: July 15, 2021

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MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE

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