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23 Zachary Hile

24 **UNITED STATES DISTRICT COURT**  
25 **NORTHERN DISTRICT OF CALIFORNIA**

26 ZACHARY HILE, on behalf of himself and  
27 all others similarly situated,

28 Plaintiff,

vs.

MAX RAVE, LLC and G+G RETAIL,  
INC.,

Defendants.

Case No. 07-CV-00738 (JSW)

**STIPULATION OF DISMISSAL AND  
[PROPOSED] ORDER**

Complaint Filed: February 5, 2007  
Trial Date: None Set

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**STIPULATION OF DISMISSAL**

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), Plaintiff Zachary Hile (“Plaintiff”) and Defendant Max Rave, LLC (“Defendant”) hereby stipulate and agree to the dismissal of Plaintiff’s individual claims against Defendant in this action *with prejudice*,<sup>1</sup> and with each party bearing its own costs and fees. Plaintiff’s putative class claims against Defendant are dismissed without prejudice to the rights of any of the members of the putative class, and with each party bearing its own costs and fees.

Dated: September 8, 2008

CALL, JENSEN & FERRELL  
A Professional Corporation

By:s/SCOT D. WILSON  
SCOT D. WILSON  
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E-mail: swilson@calljensen.com

Dated: September 8, 2008

KELLER GROVER LLP  
THIERMAN LAW FIRM  
LAW OFFICES OF SCOTT A. MILLER, APC  
STEVEN L. MILLER, A PROF. LAW CORP.

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<sup>1</sup> The claims against Defendant G+G Retail, Inc. were voluntarily dismissed by Plaintiff on May 24, 2007. (See Document 13-1).

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**ORDER**

**IT IS HEREBY ORDERED** that Plaintiff Zachary Hile’s (“Plaintiff”) individual claims against Defendant Max Rave, LLC (“Defendant”) be dismissed with prejudice, and with each party bearing its own costs and fees. Plaintiff’s putative class claims against Defendant are dismissed without prejudice to the rights of any of the members of the putative class and each party shall bear its own costs and fees. Thus, this action is dismissed.

Dated: September 8, 2009

  
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HON. JEFFREY S. WHITE  
U.S. DISTRICT COURT JUDGE