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 7 GRILL, INC.; CHIPOTLE MEXICAN GRILL  
 SERVICE CO., LLC

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17 Attorneys for Plaintiff  
 Marcello Gabrielli

18 **UNITED STATES DISTRICT COURT**  
 19 **NORTHERN DISTRICT OF CALIFORNIA**

20 MARCELLO GABRIELLI, on behalf of  
 21 himself, the general public, and as an  
 "aggrieved employee" under the California  
 22 Labor Code Private Attorneys General Act,

23 Plaintiff,

24 v.

25 CHIPOTLE MEXICAN GRILL, INC.;  
 CHIPOTLE MEXICAN GRILL SERVICE  
 26 CO., LLC, and DOES 1 through 10 inclusive,

27 Defendant.

Case No. CV 09-01511 MMC

The Hon. Maxine M. Chesney

**STIPULATION RE DISMISSAL**

[Proposed Order filed concurrently herewith]

[Complaint Filed: March 4, 2009]

Trial Date: None Set

1 Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff  
2 Marcello Gabrielli (“Plaintiff”) and Defendants Chipotle Mexican Grill, Inc. and Chipotle  
3 Mexican Grill Service Co., LLC (“Defendants”) hereby enter into the following Stipulation re  
4 Dismissal and request the Court to enter an Order thereon as proposed herein.

5  
6 **STIPULATION**

7 1. Plaintiff commenced this action in state court on or about March 4, 2009.

8  
9 2. Defendants removed this action to federal court on or about April 23, 2009.

10 3. Plaintiff and Defendants have entered into a Settlement Agreement and General  
11 Release of All Claims, pursuant to which the parties agree that: (a) this action shall be dismissed  
12 with prejudice as to Plaintiff’s claims as an individual, but without prejudice as to the rights of any  
13 other putative class members; (b) each party shall bear its own respective costs and attorneys’ fees.  
14

15 Dated: September 8, 2010

**KELLER GROVER LLP**

16  
17 By: /s/Eric A. Grover  
ERIC A. GROVER  
18 Attorneys for Plaintiff

19  
20 Dated: September 8, 2010

**SHEPPARD, MULLIN,  
21 RICHTER &  
22 HAMPTON LLP**

23 By: /s/Jason W. Kearnaghan  
24 RICHARD J. SIMMONS  
25 JASON W. KEARNAGHAN  
26 Attorneys for Defendants  
27  
28

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CO., LLC, and DOES 1 through 10 inclusive,

27 Defendant.  
28

Case No. CV 09-01511 MMC

The Hon. Maxine M. Chesney

~~PROPOSED~~ ORDER RE DISMISSAL

[Stipulation filed concurrently herewith]

[Complaint Filed: March 4, 2009]

Trial Date: None Set

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GOOD CAUSE having been shown therefore, it is HEREBY ORDERED THAT:

1. This action is dismissed with prejudice as to Plaintiff's claims as an individual, but without prejudice as to the rights of any other putative class members.

2. Each party shall bear its own respective costs and attorneys' fees.

Dated: September 9, 2010

  
UNITED STATES DISTRICT JUDGE