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Attorneys for Plaintiff Dustin Gormley



9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 DUSTIN GORMLEY, individually and on
 13 behalf of all others similarly situated,

Plaintiffs,

v.

14 NIKE, INC., an Oregon corporation,

Defendant.

Coordinated Case No. 11-cv-00893-SI

**JOINT STIPULATION OF
 DISMISSAL WITH PREJUDICE OF
 PLAINTIFF DUSTIN GORMLEY'S
 INDIVIDUAL CLAIMS**

Hon. Susan Illston
 Courtroom 10, 19th Floor

17 ERIKA MCCARTNEY, on behalf of herself
 18 and all others similarly situated,

Plaintiff,

v.

19 NIKE, Inc., an Oregon corporation; and
 20 DOES 2 through 20,

Defendants.

Case No. 11-cv-01588-SI

21 KRISTEN L. HARTMAN, an individual, on
 22 behalf of herself and all others similarly
 23 situated,

Plaintiff,

Case No. 11-cv-02451 SI

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v.
NIKE USA, INC., an Oregon Corporation;
NIKE RETAIL SERVICES, INC., an Oregon
Corporation, and DOES 1 through 50,
inclusive,
Defendants.

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiff Dustin Gormley and defendant Nike Retail Services, Inc. (“Nike”) (collectively with Mr. Gormley, “Parties”), by and through their respective counsel, hereby stipulate and agree that all of Mr. Gormley’s individual claims against Nike in the above entitled action are hereby dismissed *with prejudice*.

No Court order is necessary to effectuate dismissal because this stipulation is signed by the parties who have appeared in Mr. Gormley’s action (namely, Mr. Gormley and Nike), no class has been certified under Fed. R. Civ. P. 23, and this is not a derivative action under Fed. R. Civ. P. 23.1, an action relating to an unincorporated association under Fed. R. Civ. P. 23.2, or involving a receiver under Fed. R. Civ. P. 66. *See* Fed. R. Civ. P. 41(a)(1)(ii) (“Subject to Rules 23(e), 23.1(c), and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing: ... (ii) a stipulation of dismissal signed by all parties who have appeared.”).

IT IS SO STIPULATED.

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1 Dated: April 22, 2014

2 COOLEY LLP
3 MICHELLE C. DOOLIN
4 BEATRIZ MEJIA
5 MATTHEW M. BROWN

6 /s/

7 _____
8 Michelle C. Doolin

9 Attorneys for Defendants
10 NIKE, INC., NIKE USA, INC., and
11 NIKE RETAIL SERVICES, INC.

12 Dated: April 22, 2014

13 HOFFMAN LIBENSON SAUNDERS & BARBA
14 TIM HOFFMAN
15 CHAD A. SAUNDERS

16 /s/

17 _____
18 Chad A. Saunders

19 Attorneys for Plaintiff
20 DUSTIN GORMLEY

21 **FILER'S ATTESTATION**

22 Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that
23 all parties have concurred in the filing of this Joint Stipulation and [Proposed] Order re
24 Consolidation of Action and Consolidated Complaint.

25 Dated: April 22, 2014

26 HOFFMAN LIBENSON SAUNDERS & BARBA
27 H. TIM HOFFMAN
28 CHAD A. SAUNDERS

/s/ *Chad A. Saunders*

Attorneys for Plaintiff
Dustin Gormley