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**ATTORNEYS FOR PLAINTIFF**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**KIMBERLY S. SETHAVANISH, on behalf  
of herself and all others similarly situated,**  
  
**Plaintiff,**  
  
**v.**  
  
**ZONEPERFECT NUTRITION COMPANY,  
a Delaware corporation,**  
  
**Defendant.**

**CASE NO.: 3:12-CV-02907**  
  
**CLASS ACTION**  
  
**STIPULATION AND NOTICE OF  
DISMISSAL**

1 Pursuant to Fed. R. Civ. P. 41 (a)(1)(A)(ii), plaintiffs Kimberly S. Sethavanish (*a/k/a*)  
2 Kimberly S. Colucci) and James Colucci, and defendant ZonePerfect Nutrition Company,  
3 representing all parties that appeared in this action, hereby stipulate to dismissal of this action with  
4 prejudice.<sup>1</sup>

5  
6  
7 Dated: April 10, 2014

**LAW OFFICES OF JANET LINDNER SPIELBERG**

8 By: /s/Janet Lindner Spielberg

9 Janet Lindner Spielberg, Co-Lead Attorney for  
10 PLAINTIFFS

11 Dated: April 10, 2014

**BRAUN LAW GROUP, P.C.**

12 By: /s/Michael D. Braun

13 Michael D. Braun, Co-Lead Attorney for  
14 PLAINTIFFS

15 Dated: April 10, 2014

**FEINSTEIN DOYLE PAYNE & KRAVEC, LLC**

16 By: /s/Joseph N. Kravec, Jr.

17 Joseph N. Kravec, Jr., Co-Lead Attorney for  
18 PLAINTIFFS

19 Dated: April 10, 2014

**KIRKLAND & ELLIS LLP**

20 By: /s/Jonathan D. Brightbill

21 Jonathan D. Brightbill, Attorney for DEFENDANT  
22

23 **IT IS SO ORDERED:**

24 

25 **Samuel Conti**  
26 **U.S. District Judge**

27 Nunc Pro Tunc 04/14/2014

28 <sup>1</sup> The dismissal is effective upon filing. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii); *Garbel' v. Chicago Merchantile Exch.*, 570 F.3d 1361, 1366 (Fed. Cir. 2009); *McCall-Bey v. Franzen*, 777 F.2d 1178, 1185 (7th Cir. 1985).