

1 KAREN J. KUBIN (CA SBN 71560)  
 KKubin@mofocom  
 2 LLOYD W. AUBRY, JR. (CA SBN 65089)  
 LAubry@mofocom  
 3 COLETTE M. LEBON (CA SBN 274202)  
 CLeBon@mofocom  
 4 MORRISON & FOERSTER LLP  
 425 Market Street  
 5 San Francisco, California 94105-2482  
 Telephone: 415.268.7000  
 6 Facsimile: 415.268.7522

7 NANCY R. THOMAS (CA SBN 236185)  
 NThomas@mofocom  
 8 TRITIA M. MURATA (CA SBN 234344)  
 TMurata@mofocom  
 9 MORRISON & FOERSTER LLP  
 555 West Fifth Street  
 10 Los Angeles, California 90013-1024  
 Telephone: 213.892.5200  
 11 Facsimile: 213.892.5454

12 Attorneys for Defendant  
 STAPLES THE OFFICE SUPERSTORE, LLC

13  
 14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16

17 STEVEN RODRIGUEZ, an individual, on behalf of  
 himself and on behalf of all persons similarly  
 18 situated,

19 Plaintiff,

20 v.

21 STAPLES THE OFFICE SUPERSTORE, LLC, a  
 Delaware limited liability company; and DOES 1  
 22 through 50, inclusive,

23 Defendants.  
 24

Case No. CV 13 1076 EMC

**STIPULATED DISMISSAL OF  
 ACTION**

[F.R.C.P. 41(a)]

25 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the parties hereto stipulate  
 26 to the dismissal of the above-captioned action in its entirety. The claims alleged on behalf of  
 27 Plaintiff Steven Rodriguez as an individual shall be dismissed with prejudice. The claims alleged  
 28

1 on behalf of putative class and collective action members shall be dismissed without prejudice.  
2 Each side shall bear his or its own attorneys' fees and costs.

3 IT IS SO STIPULATED.

4 Dated: ~~October~~, 2013 <sup>January 29, 2014</sup>

Dated: ~~October~~, 2013 <sup>January 28, 2014</sup>

5 BLUMENTHAL, NORDREHAUG &  
6 BHOWMIK

MORRISON & FOERSTER LLP

7 By: *Piya Mukherjee*  
8 Piya Mukherjee

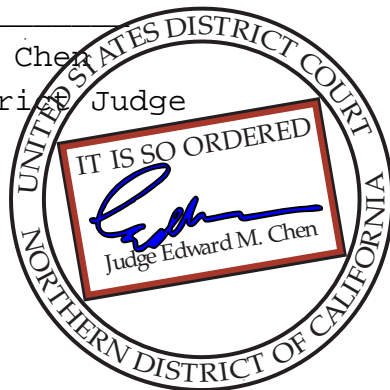
By: *Karen J. Kubin*  
Karen J. Kubin

9 Attorneys for Plaintiff  
STEVEN RODRIGUEZ

Attorneys for Defendant  
STAPLES THE OFFICE SUPERSTORE, LLC

11 IT IS SO ORDERED

12 Edward M. Chen  
13 U.S. District Judge



10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28