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7 Attorneys for Plaintiff  
 AMERICAN LICORICE COMPANY

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

12 AMERICAN LICORICE COMPANY,  
 13 Plaintiff,

14 vs.

15 TOTAL SWEETENERS, INC.; individually  
 and doing business as BATORY FOODS, INC.  
 16 and DOES 1 through 10 Inclusive,  
 17 Defendants.

18 TOTAL SWEETENERS, INC., individually  
 19 and doing business as BATORY FOODS,

20 Third-party Plaintiff,

21 vs.

22 SAVANNAH SUGAR REFINERY, a  
 23 subsidiary of IMPERIAL SUGAR  
 COMPANY; IMPERIAL SUGAR  
 24 COMPANY; IMPERIAL DISTRIBUTING,  
 INC.; DOMINO FOODS, INC.; and ROES 1  
 25 through 10, inclusive,

26 Third-party Defendants.

Case No. 3:13-cv-01929-EMC

**STIPULATION OF DISMISSAL WITH  
 PREJUDICE PURSUANT TO F.R.C.P.  
 41(a)(1)(A)(ii); AND ORDER**

Judge: Hon. Edward M. Chen

Courtroom: 5

Complaint Filed: April 26, 2013

28 STIPULATION OF DISMISSAL WITH  
 PREJUDICE PURSUANT TO F.R.C.P.  
 41(a)(1)(A)(ii); AND ORDER

CASE NO. 3:13-CV-01929-EMC

1 STIPULATION TO DISMISSAL WITH PREJUDICE PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)

2 Pursuant to the Federal Rules of Civil Procedure 41(a)(1)(A)(ii), the parties hereto,  
3 through their designated counsel, HEREBY STIPULATE AND AGREE to a dismissal with  
4 prejudice of this entire action, *American Licorice Company v. Total Sweeteners, Inc.*, 3:13-cv-  
5 01929-EMC, including without limitation all claims and third-party claims pursuant to the terms  
6 of the Confidential Release and Settlement Agreement executed by all parties in this matter.  
7 Each party shall bear its own attorneys' fees and costs.

8 Dated: May 1, 2015

Respectfully submitted,  
NIXON PEABODY LLP

11 By: /s/ Lauren M. Michals  
12 Lauren M. Michals  
13 Scott S. Shepardson  
14 Shady E Joulani  
Attorneys for Plaintiff  
AMERICAN LICORICE COMPANY

15 Dated: May 1, 2015

GORDON & REES LLP

18 By: /s/ Mordecai D. Boone  
19 Mordecai D. Boone  
20 Richard Ames  
Attorneys for Defendant and  
21 Third-party Plaintiff  
TOTAL SWEETENERS, INC.,  
22 individually and doing business as  
BATORY FOODS, INC.

23 Dated: May 1, 2015

MORGAN LEWIS LLP

26 By: /s/ Colin C. West  
27 Colin C. West  
Rick Rothman  
Attorneys for Third-party Defendant  
28 DOMINO FOODS, INC.

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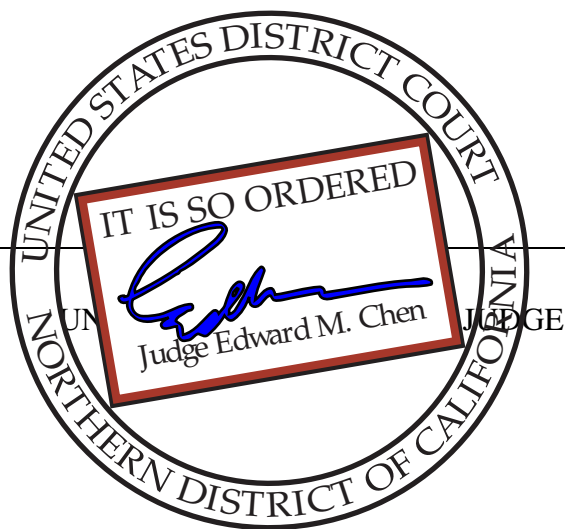
Dated: May 1, 2015

MCGRATH NORTH MULLIN & KRATZ,  
PC LLO

By: /s/ Patrick E. Brookhouser, Jr.  
Patrick E. Brookhouser, Jr.  
Counsel for Third-party Defendants  
Imperial Sugar Company, Imperial  
Distributing, Inc., and Savannah Sugar  
Refinery

**IT IS SO ORDERED:**

Dated: May 4, 2015



4822-2493-4435.2