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5 [Additional Counsel Appear on Signature Page]
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7 UNITED STATES DISTRICT COURT
 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 SHANTELL OLVERA et al.,
 Plaintiffs,
 10 v.
 11 DRIVEN SPORTS, INC., a New York
 corporation; BODYBUILDING.COM, LLC;
 12 GENERAL NUTRITION CENTER, INC.;
 13 SPORTS NUTRITION RESEARCH, LTD;
 and DOES 1 through 10, inclusive,
 14 Defendants.

Consolidated No. 3:13-cv-04830-EMC

**STIPULATION AND ~~[PROPOSED]~~
 ORDER OF DISMISSAL OF THE
 ENTIRE ACTION**

CLASS ACTION

JURY TRIAL DEMAND

The Honorable Edward M. Chen

Complaint Filed: October 17, 2013

17
 18 MARCUS WAGNER, an individual, on
 behalf of himself and all others similarly
 19 Situated,

Case No. 3:13-cv-05239-EMC

JURY TRIAL DEMAND

The Honorable Edward M. Chen

Complaint Filed: November 12, 2013

20 Plaintiff,
 21 v.
 22 DRIVEN SPORTS, INC., GENERAL
 23 NUTRITION CENTERS, INC., and DOES 1
 through 50, inclusive,
 24 Defendants.

1 **I. STIPULATION**

2 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiffs Shantell Olvera, Duong Le, Mark
3 Wolfe, Bryan Noffsinger, Julian Kadarian, Erik Sickinger, William Hall Jr., Roberto Iriondo,
4 Melvin Bishop, Henry Chorlian II, Jeff Crites, Marcus Wagner, and James Ventre (hereinafter
5 “Plaintiffs”), and Driven Sports, Inc., Sports Nutrition Research, Ltd., and General Nutrition
6 Corporation (erroneously sued and served as “General Nutrition Centers, Inc.”) (hereinafter
7 collectively “Defendants”), by and through their attorneys of record, stipulate to dismissal of
8 any and all of Plaintiffs’ individual claims against Defendants with prejudice and without an
9 award of fees and costs to either party. This dismissal is without prejudice as to any putative
10 class claims.

11 STIPULATED TO, DATED AND RESPECTFULLY SUBMITTED this 30th day of
12 November, 2015.

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14 GROUP PLLC

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EDELMAN & DICKER LLP

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*Attorneys for Defendant General Nutrition
Corporation (erroneously sued and served as
"General Nutrition Centers, Inc.")*

1 **II. LOCAL RULE 5-1(I)(3) STATEMENT**

2 Pursuant to Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this
3 document has been obtained from counsel for all parties, and that I will maintain records to
4 support this concurrence by all counsel subject to this stipulation as required under the local
5 rules.

6 DATED this 30th day of November, 2015.

7 TERRELL MARSHALL LAW GROUP PLLC

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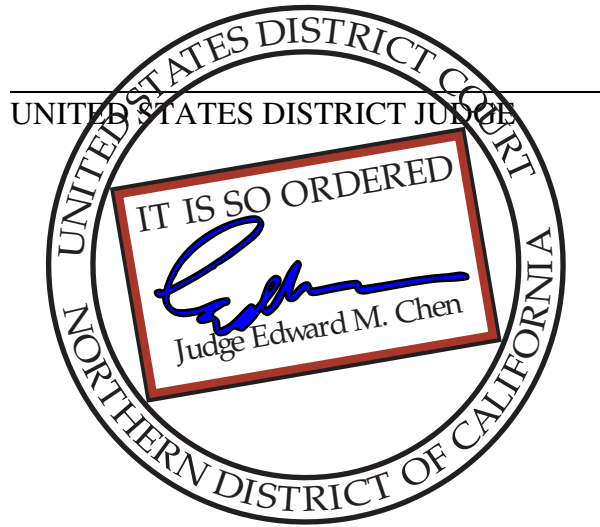
16 **III. [~~PROPOSED~~] ORDER PURSUANT TO STIPULATION**

17 This matter came before the above-entitled Court on the Stipulation for Dismissal With
18 Prejudice of the Entire Action. After reviewing the files and records herein, and the Court
19 having been fully advised, it is hereby:

20 ORDERED that Plaintiffs' individual claims against Defendants are DISMISSED
21 WITH PREJUDICE with each party to bear their own attorneys' fees, costs and expenses
22 except as may be otherwise agreed to by the parties. This dismissal is without prejudice to any
23 putative class claims.
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IT IS SO ORDERED this 7th day of December, 2015.



CERTIFICATE OF SERVICE

I, Mary B. Reiten, hereby certify that on November 30, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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Attorneys for Defendant General Nutrition Corporation (erroneously sued and served as "General Nutrition Centers, Inc.")

1 DATED this 30th day of November, 2015.

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