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**GHIRARDELLI CHOCOLATE COMPANY**

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

JOSEPH BRUNGARD, individually  
and behalf of others similarly situated;

Plaintiff,

vs.

GHIRARDELLI CHOCOLATE  
COMPANY, a California corporation,

Defendants.

Case No.: 3:17-cv-05873-EMC

The Honorable Edward M. Chen

**STIPULATION OF DISMISSAL  
WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the parties hereby stipulate to dismissal of this action with prejudice with each side bearing its fees and costs.

Respectfully submitted:

Dated: June 21, 2018

**NICHOLAS & TOMASEVIC, LLP**

By:           /s/ Alex Tomasevic            
Alex Tomasevic  
Attorneys for Plaintiff  
Joseph Brungard

Dated: June 21, 2018

**MAYER BROWN LLP**

By:           /s/ Dale J. Giali            
Dale J. Giali  
Attorneys for Defendant  
Ghirardelli Chocolate Company



**ATTESTATION**

I, Alex Tomasevic, hereby attest, pursuant to Civil Local Rule 5-1(i)(3), that concurrence in the filing of this document has been obtained from each signatory.

By:           /s/ Alex Tomasevic            
Alex Tomasevic

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12 Attorneys for Plaintiff  
13 Joseph Brungard

14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 **JOSEPH BRUNGARD**, individually  
17 and behalf of others similarly situated;

18 Plaintiff,

19 vs.

20 **GHIRARDELLI CHOCOLATE**  
21 **COMPANY**, a California corporation;  
22 and **DOES 1** through 100, inclusive,

23 Defendants.

CASE NO.: 3:17-cv-05873-EMC

**PROOF OF SERVICE**

**Judge:** Hon. Edward M. Chen

**Complaint Filed:** October 12, 2017

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I, **Emilia S. Carrillo**, declare that I am over the age of 18 years and am not a party to the case; I am employed in the County of San Diego, California, where the mailing occurs; and my business address is 225 Broadway, 19th Floor, San Diego, California 92101.

On June 21, 2018, I served the within: **SEE ATTACHED LIST** on the interested parties in said action by:

**BY ELECTRONIC MAIL:** I caused all of the pages of the above-entitled document(s) to be served, via electronic mail (e-mail), to the e-mail address of the addressee(s) so indicated.

**BY ELECTRONIC FILING.** I caused all of the pages of the above-entitled document(s) to be electronically filed and served on designated recipients through the Electronic Case Filing system for the above-entitled case. Please see attached list of documents and recipients served. The file transmission was reported as successful and a copy of the Electronic Case Filing Receipt will be maintained with the original document(s) in our office.

I declare under penalty of perjury that the above is true and correct. I further declare that I am employed in the office of a member of the bar of this Court, at whose direction the service was made. Executed on **June 21, 2018**, at San Diego, California.

  
\_\_\_\_\_  
Emilia S. Carrillo

**Joseph Brungard v. Ghirardelli Chocolate Company, et al.**  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
Case No. 3:17-cv-05873-EMC

**PROOF OF SERVICE**

**DOCUMENTS SERVED:**

(1) **STIPULATION OF DISMISSAL WITH PREJUDICE.**

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GHIRARDELLI CHOCOLATE COMPANY

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