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Attorneys for Plaintiff
DONNA MOTTA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONNA MOTTA, an individual, and on behalf)
of all others similarly situated,)
)
Plaintiff,)
)
v.)
)
WHOLE FOODS MARKET, INC., a Texas)
Corporation; and DOES 1 through 50, inclusive,)
)
Defendants.)
)
)
)
)

Case No. C11-01322 CW
**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE**

IT IS HEREBY STIPULATED by and between the parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed without prejudice pursuant to FRCP 41(a)(1) and that the statute of limitations for Plaintiff to file a state court

1 complaint against Whole Foods Market California, Inc. for an alleged violation of California
2 Civil Code section 1747.08 is tolled from the date Plaintiff filed her original complaint in this
3 action (March 18, 2011) until sixty-five (65) days from the date of the filing of this stipulation of
4 dismissal.

5 IT IS SO STIPULATED.

6 Date: June 14, 2011

SEYFARTH SHAW LLP

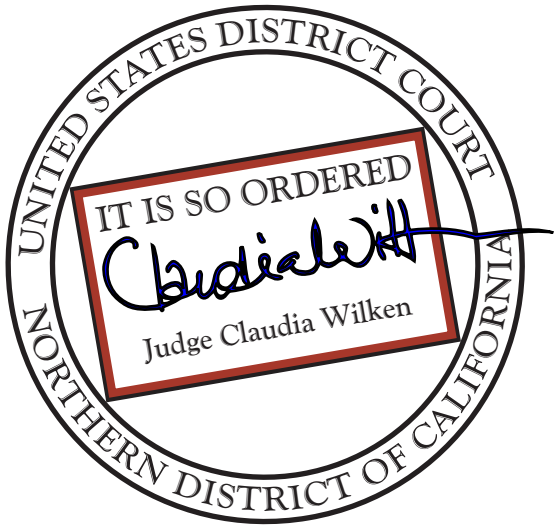
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By: /s/Giovanna A. Ferrari
Giovanna A. Ferrari
Attorneys for Defendant
WHOLE FOODS MARKET, INC.

11 Date: June 14, 2011

HARRISON, PATTERSON & O'CONNOR LLP

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By: /s/ Matthew J. O'Connor
Matthew J. O'Connor
Attorneys for Plaintiff
DONNA MOTTA

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Certificate of Service

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served June 14, 2011, with a copy of this document via the Court's CM/ECF system. I certify that all parties in this case are represented by counsel who are CM/ECF participants. Any other counsel of record will be served by electronic mail, facsimile transmission, and/or first class mail on this same date.

/s/ Matthew J. O'Connor