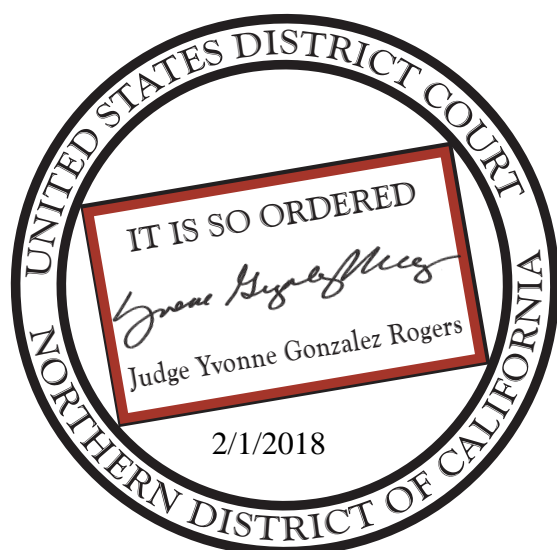


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9 Counsel for Plaintiffs
 10 [Complete list of counsel on signature page]
 11
 12



13 **THE UNITED STATES DISTRICT COURT**
 14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

| | | | |
|----|---------------------------------|---|---------------------------------------|
| 15 | CENTER FOR FOOD SAFETY, et al., |) | Consolidated Case Nos. |
| 16 | Plaintiffs, |) | 4:14-cv-4932-YGR and 4:14-cv-4933-YGR |
| 17 | and |) | STIPULATION OF VOLUNTARY |
| 18 | THE HUMANE SOCIETY OF THE |) | DISMISSAL |
| 19 | UNITED STATES, et al., |) | |
| 20 | Plaintiffs, |) | Hon. Yvonne Gonzalez Rogers |
| 21 | v. |) | |
| 22 | MARGARET A. HAMBURG, |) | |
| 23 | COMMISSIONER, UNITED STATES |) | |
| 24 | FOOD AND DRUG ADMINISTRATION |) | |
| 25 | et al., |) | |
| 26 | Defendants, |) | |
| 27 | and |) | |
| 28 | ELANCO ANIMAL HEALTH, |) | |
| | Intervenor-Defendant. |) | |

1 **STIPULATION OF VOLUNTARY DISMISSAL**

2 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the parties hereby agree to a voluntary dismissal
3 with prejudice of the above-captioned matter. The parties have agreed to dismiss the above-
4 captioned action as follows:

5 1. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(B), execution of this
6 stipulation by counsel for Plaintiffs Center for Food Safety, Center for Biological Diversity, Sierra
7 Club, The Humane Society of the United States, Animal Legal Defense Fund, and the United Farm
8 Workers of America (“Plaintiffs”), by counsel for Defendant Food and Drug Administration
9 (“FDA” or “Defendant”), and by counsel for Intervenor-Defendant Elanco Animal Health
10 (“Intervenor”) shall constitute a dismissal of this action with prejudice. This stipulation of
11 voluntary dismissal is signed by all parties who have appeared.

12 2. Each party will bear its own costs and attorneys’ fees in this case. Plaintiffs
13 waive all claims under the Equal Access to Justice Act, 28 U.S.C. § 2412; 5 U.S.C. § 504; 47
14 C.F.R. Part 1, Subpart K; and any other rights to attorneys’ fees or costs that may arise under any
15 provision of law, including but not limited to the above-cited provisions, relating to the
16 investigation and litigation of this matter. Similarly, Defendants and Intervenor waive any claims
17 or rights they may otherwise have to attorneys’ fees or costs relating to the investigation and
18 litigation of this matter.

19 3. Undersigned counsel are fully authorized to enter into this stipulation on
20 behalf of their respective clients.

21
22 Respectfully submitted this 1st day of February 2018.

23
24 /s/
25 _____
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