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 (*Appearance Pro Hac Vice*)

10 Attorneys for Defendant GROCERY OUTLET, INC.

11 *[Additional counsel listed on signature page]*

12
 13 IN THE UNITED STATES DISTRICT COURT
 14 THE NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

16 GARDEN MEADOW, INC., a Connecticut
 Corporation,

17 Plaintiff,

18 v.

19 GROCERY OUTLET, INC., a California
 20 Corporation doing business as GROCERY
 OUTLET and as IDEAL DISTRIBUTING

21 and

22 JOHN DOES Numbers 1 through 99,

23 Defendants.
 24

) Case No. 5:12-cv-04811-LHK (PSG)

) **STIPULATION OF DISMISSAL AND**
) **[PROPOSED] ORDER**

) Complaint Filed: September 13, 2012

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 26 Plaintiff Garden Meadow, Inc. (“Garden Meadow”) and Defendant Grocery Outlet, Inc., a
 27 California Corporation doing business as Grocery Outlet and as Ideal Distributing (“Grocery
 28 Outlet”), by and through their respective attorneys, hereby stipulate to a dismissal of this action

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1 with prejudice as to Grocery Outlet and without prejudice as to John Does Numbers 1 through 99,
2 pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. Each party shall bear its own
3 costs and attorneys' fees.

4 WHEREFORE, the parties respectfully request that this Court issue an Agreed Order of
5 Dismissal.

6 **IT IS SO STIPULATED.**

7 Dated: May 8, 2013

SEILLER WATERMAN LLC

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9 By: /s/ Kyle Anne Citrynell

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Attorneys for Plaintiff
GARDEN MEADOW, INC.

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19 Dated: May 8, 2013

DAVIS WRIGHT TREMAINE LLP

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21 By: /s/ Sanjay M. Nangia

Sanjay M. Nangia

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23 Attorneys for Defendant
GROCERY OUTLET, INC.
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1 Pursuant to Local Rule 5-1 and General Order 45 X B, I am the ECF user whose
2 identification and password are being used to file this document. I attest that concurrence in the
3 filing of this document has been obtained from stipulating plaintiff. I have retained records to
4 support this concurrence for subsequent production for the Court, if so ordered, or for inspection
5 upon request by a party, until one year after the final resolution of the action (including appeal, if
6 any).

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8 By: /s/ Sanjay M. Nangia
9 Sanjay M. Nangia
10 Attorneys for Defendant
11 GROCERY OUTLET, INC.

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1 AGREED ORDER OF DISMISSAL

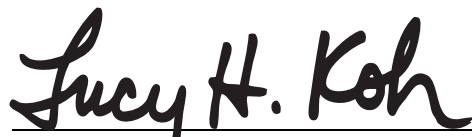
2 The Court, having considered the stipulation of the parties, and good cause appearing
3 therefore, orders as follows:

4 1. Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the claims
5 asserted by Plaintiff Garden Meadow, Inc. (“Garden Meadow”) are dismissed with prejudice as to
6 Defendant Grocery Outlet, Inc., a California Corporation doing business as Grocery Outlet and as
7 Ideal Distributing, and without prejudice as to Defendants John Does Numbers 1 through 99.

8 2. Each party shall bear its own costs and attorneys’ fees.

9 **IT IS SO ORDERED.**

10 Dated: May 9, 2013



11 Hon. Lucy H. Koh

12 UNITED STATES DISTRICT JUDGE

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