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 DS Services of America, Inc.

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

17 CARLOS ZARATE,

18
 19 Plaintiff,

20 v.

21 DS SERVICES OF AMERICA, INC; and
 22 DOES 1 through 50, inclusive,

23 Defendants.

Case No. 5:15-cv-01871 NC

**STIPULATED DISMISSAL WITH
 PREJUDICE PURSUANT TO FRCP
 41(a)(1)(A)(ii); ORDER**

State Court Complaint Filed: 10/01/2014
 Notice of Removal Filed: 04/27/2015

25 IT IS HEREBY STIPULATED by Plaintiff Carlos Zarate on the one hand and Defendant
 26 DS Services of America, Inc. on the other hand, by and through their counsel of record and
 27 pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) that the above-captioned action be
 28 dismissed with prejudice with each party to bear its own attorney fees and costs.

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IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

FITZPATRICK, SPINI & SWANSTON

Dated: November 5, 2015

By: /s/ Samuel Forbes-Roberts
B. James Fitzpatrick, Esq.
Samuel Forbes-Roberts, Esq.
Attorneys for Plaintiff

SEYFARTH SHAW LLP

Dated: November 5, 2015

By: /s/ Duwayne A. Carr
Catherine M. Dacre, Esq.
Duwayne A. Carr, Esq.
Attorneys for Defendant

ORDER

Based on the stipulation of the parties, and good cause appearing therefor, IT IS
HEREBY ORDERED that the above-captioned action be and hereby is dismissed with prejudice
with each party to bear its own attorneys' fees and costs.

Dated: November 5, 2015

