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5 **UNITED STATES DISTRICT COURT**
6 **SOUTHERN DISTRICT OF CALIFORNIA**

7 TRACY MAIER, on behalf of herself,
8 all others similarly situated and the
9 general public,

10 Plaintiffs,

11 v.

12 BLOOMIN' BRANDS, INC. doing
13 business as Outback Steakhouse, a
14 Delaware Corporation,

15 Defendant.

Case No.: 13cv0136-MMA (JLB)

**ORDER GRANTING JOINT
MOTION FOR DISMISSAL OF
ENTIRE ACTION PURSUANT TO
FED. R. CIV. P. RULE 41(a)(1)(A)**

[Doc. No. 46]

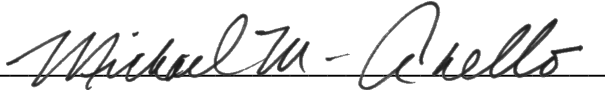
16 Plaintiff Tracy Maier and Defendant Bloomin' Brands Inc., dba Outback
17 Steakhouse jointly move for dismissal of the above action pursuant to Federal Rule
18 of Civil Procedure 41. The Court **GRANTS** the joint motion. Accordingly, the
19 Court **DISMISSES** the above-captioned action as follows:

- 20 1. As to plaintiff Tracy Maier individually, **with prejudice**;
21 2. As to the putative class, **without prejudice**; and
22 3. Each party to pay their own attorneys' fees and costs.

23 The Clerk is instructed to close the case.

24 **IT IS SO ORDERED.**

25
26 DATED: August 6, 2014

27 
28 Honorable Michael M. Anello
United States District Court Judge