

1 WENDY M. KRINCEK, ESQ., Bar # 06417
 Z. KATHRYN BRANSON, ESQ., Bar #11540
 2 LITTLER MENDELSON, P.C.
 3 3960 Howard Hughes Parkway
 Suite 300
 Las Vegas, NV 89169-5937
 4 Telephone: 702.862.8800
 Fax No.: 702.862.8811
 5 Email: wkrincek@littler.com
 Email: kbranson@littler.com

6 Attorneys for Defendant
 7 FITNESS ALLIANCE, LLC

8
 9 **UNITED STATES DISTRICT COURT**
 10 **DISTRICT OF NEVADA**

11 BERT KURLAND, an individual,
 12 Plaintiff,

13 vs.

14 FITNESS ALLIANCE, LLC, a Nevada
 15 Limited-Liability Company DOES I-X;
 ROE CORPORATIONS I-X,
 16 Defendants.

Case No. 2:17-cv-02311-APG-PAL

**STIPULATION AND ORDER TO DISMISS
 WITH PREJUDICE PLAINTIFF'S
 SECOND CAUSE OF ACTION
 (RETALIATION)**

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 18 Defendant FITNESS ALLIANCE, LLC and Plaintiff BERT KURLAND, by and through
 19 their respective counsel of record, hereby stipulate pursuant to Fed. R. Civ. P. 41(a) to dismiss

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1 Plaintiff's Second Cause of Action (Retaliation) set forth in his Complaint (ECF No. 1), with
2 prejudice.

3 Dated: October 11, 2017

Dated: October 11, 2017

4 Respectfully submitted,

Respectfully submitted,

5
6 /s/ Jenny L. Foley, Esq.

/s/ Z. Kathryn Branson, Esq.

7 JENNY L. FOLEY, ESQ.

WENDY MEDURA KRINCEK, ESQ.

8 HKM Employment Attorneys LLP

Z. KATHRYN BRANSON, ESQ.

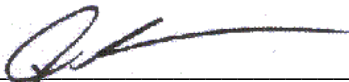
LITTLER MENDELSON, P.C.

9 Attorneys for Plaintiff

Attorney for Defendant
Fitness Alliance, LLC

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11
12 **ORDER**

13 **IT IS SO ORDERED.**

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16 UNITED STATES DISTRICT JUDGE

17 Dated: October 12, 2017.