

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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A. FERLITO FARMS, INC., )  
) )  
Plaintiff, )  
) )  
-vs- )  
) )  
NEW FARM, INC., and )  
JONG HWA KIM, )  
) )  
Defendants. )  
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5:15-cv-158 (FJS/TWD)

**NOTICE OF VOLUNTARY  
DISMISSAL PURSUANT TO  
F.R.C.P. 41(a)(1)(A)(i)**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), the Plaintiff, Ferlito Farms, Inc., and or their counsel, hereby give notice that the above-captioned action is voluntarily dismissed, without prejudice against Defendants, New Farm, Inc. and Jong Hwa Kim.

Dated: September 9, 2015

MACKENZIE HUGHES LLP  
*Attorneys for Plaintiff*

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IT IS SO ORDERED:

Frederick J. Scullin

Frederick J. Scullin, Jr.  
Senior U.S. District Judge

Dated: September 16, 2015  
Syracuse, NY