

NOTE CHANGES MADE BY THE COURT

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MICHAEL GOLDBERG (#188669)
MARC L. GODINO (#182689)
CASEY E. SADLER (#274241)
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JS-6

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[Additional Counsel Listed On Signature Page]

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

DAVID TAKEDA, on behalf of himself)
and all other persons similarly situated,)

Plaintiff,)

v.)

QUEST NUTRITION, LLC, a California)
limited liability company; and GENERAL)
NUTRITION CENTERS, INC., a)
Delaware corporation,)

Defendants.)

Case Number
2:13-cv-06656 PSG (JEMx)

Hon. Philip S. Gutierrez

**STIPULATED DISMISSAL OF
ACTION WITH PREJUDICE ;
ORDER**
[Fed.R.Civ.P. 41(a)]

Action Filed: September 11, 2013

1 WHEREAS, on September 11, 2013, Plaintiff David Takeda (“Plaintiff”) filed
2 this action on behalf of himself and all other persons similarly situated against
3 Defendants Quest Nutrition, LLC and General Nutrition Centers, Inc. (“Defendants”)
4 (together, the “Parties”); and

5 WHEREAS, in March 2014, the U.S. Food and Drug Administration issued
6 proposed new regulations that clarified its position on several matters that impact the
7 lawsuit David Takeda filed against Quest Nutrition and, because of this, Mr. Takeda
8 has decided to drop his case; and

9 WHEREAS, no class has been certified so, (as per Fed. R. Civ. P. 23(e)),
10 judicial approval is not required for voluntary dismissal;

11 IT IS HEREBY STIPULATED by and between the Parties to this action
12 through their undersigned counsel that Plaintiff’s Complaint and all claims for relief
13 alleged therein in Plaintiff’s individual capacity and not on behalf of any class he is
14 alleged to represent, shall be dismissed with prejudice pursuant to Fed. R. Civ. P.
15 41(a)(1). Plaintiff and Defendants shall each bear their own costs and fees. Pursuant
16 to Rule 41(a)(1)(A), this stipulated dismissal will be effective immediately upon filing
17 without the need for a Court order.

18 DATED: December 1, 2014

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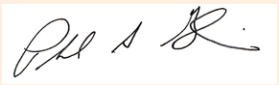
26 **SALMAS LAW GROUP**

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George C. Salmas
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*Attorneys for Defendants Quest Nutrition,
LLC and General Nutrition Centers, Inc.*

IT IS SO ORDERED.
DATED: 12/4/14

U.S. DISTRICT JUDGE