

1 Ernest H. Eubanks, Jr. (*Pro Hac Vice*)

2 seubanks@rumberger.com

Florida Bar No. 0612091

3 Steven I. Klein (*Pro Hac Vice*)

4 sklein@rumberger.com

Florida Bar. No. 0675245

5 Samantha C. Duke (*Pro Hac Vice*)

6 sduke@rumberger.com

Florida Bar No. 091403

7 **RUMBERGER, KIRK & CALDWELL, P.A.**

8 300 South Orange Avenue, Suite 1400

Orlando, Florida 32801

9 Telephone: (407) 872-7300

10 Facsimile: (407) 841-2133

11 Abirami Gnanadesigan SBN 263375

12 AGnanadesigan@dykema.com

DYKEMA GOSSETT LLP

13 333 South Grand Avenue, Suite 2100

14 Los Angeles, California 90071

15 Telephone: (213) 457-1800

Facsimile: (213) 457-1850

16 John M. Thomas SBN 266842

17 JThomas@dykema.com

18 Krista L. Lenart

klenart@dykema.com

19 **DYKEMA GOSSETT LLP**

20 2723 South State Street, Suite 400

Ann Arbor, Michigan 48104

21 Telephone: (734) 214-7660

22 Facsimile: (734) 214-7696

23 Attorneys for Defendant,

24 HARLEY-DAVIDSON MOTOR COMPANY GROUP, LLC

25 **UNITED STATES DISTRICT COURT**

26 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

1
2 RONALD GARCIA and MICHAEL
3 HARRISON,

4 Plaintiffs,

5 vs.
6

7 HARLEY-DAVIDSON MOTOR
8 COMPANY GROUP, LLC,

9 Defendant.
10

Case No. 3:19-cv-02054 JCS
Class Action

**JOINT STIPULATION FOR
DISMISSAL WITH PREJUDICE**

Complaint Filed: April 16, 2019
Trial Date: None Set
Judge: Magistrate Joseph C. Spero
Date: June 28, 2019
Ctrm: G, 15th Floor

11
12 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiffs, Ronald Garcia and Michael
13 Harrison and Defendant, Harley-Davidson Motor Company Group, LLC, by and through
14 the undersigned counsel, hereby stipulate that this action is dismissed with prejudice.
15 Under Fed. R. Civ. P. 41(a)(1)(A)(ii), this stipulation is effective immediately and no
16 court order is required. *Urista v. Midland Funding, LLC*, No. 1:21-cv-00429-, 2021 U.S.
17 Dist. LEXIS 155104, at *2 (E.D. Cal. Aug. 17, 2021) (“Case law concerning stipulated
18 dismissals under Rule 41(a)(1)(A)(ii) is clear that the entry of such a stipulation of
19 dismissal is effective automatically and does not require judicial approval.”); *see also*
20 *Commercial Space Mgmt. Co. v. Boeing Co.*, 193 F.3d 1074, 1077 (9th Cir. 1999)
21 (dismissal under Rule 41(a)(1)(A)(i) is effective on filing)
22

23 Respectfully submitted,

24
25 Dated: September 20, 2021

/s/ Nicholas W. Armstrong
Nicholas W. Armstrong
Attorney for Plaintiffs

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

/s/ Steven I. Klein
Steven I. Klein
Attorney for Defendant

Dated: September 21, 2021



1 **ATTESTATION**

2 I, Steven I. Klein, am the CM/ECF user whose ID and password are being used to
3 file this Joint Stipulation for Dismissal with Prejudice. Pursuant to the Local Civil Rules,
4 I hereby attest that Nicholas W. Armstrong, on whose behalf this filing is jointly
5 submitted, has concurred in this filing.
6
7

8 /s/ Steven I. Klein

9 **CERTIFICATE OF SERVICE**
10 **(United States District Court)**

11 I hereby certify that on September 20, 2021, I electronically filed the foregoing
12 document described as JOINT STIPULATION FOR DISMISSAL WITH PREJUDICE
13 with the Clerk of the Court using the CM/ECF System which will send notifications of
14 such filing via electronic mail to all counsel of record.
15
16

17 By: /s/ Steven I. Klein
18
19
20
21
22
23
24
25
26
27
28