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6 *Attorneys for Plaintiff,*  
7 Alphonso Gregory

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10 **UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

11  
12 Alphonso Gregory, Individually and  
on behalf of others similarly situated,

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14  
15 Plaintiff,

16 v.

17 Systematic National Collections, Inc.,

18  
19 Defendant.

**CASE NO: 3:18-CV-02657-DMS-  
JLB**

**NOTICE OF JOINT MOTION FOR  
DISMISSAL OF ACTION WITHOUT  
PREJUDICE**

**HON. DANA M. SABRAW**

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23 Plaintiff Alphonso Gregory and Defendant Systematic National Collections,  
24 Inc., hereby moves to dismiss the above entitled action without prejudice as to all  
25 parties and all causes of action, pursuant to Fed. R. Civ. Procedure 41(a)(1)(ii), each  
26 party shall bear hers/its own costs. The notice and approval requirements of Federal  
27 Rule of Civil Procedure 23(e) are inapplicable to the  
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HYDE & SWIGART  
San Diego, California

1 parties' settlement and dismissal of this Putative Class action because this action  
2 has not been certified as a class.

3 WHEREFORE, Plaintiff respectfully requests that this court dismiss this  
4 action without prejudice as to all parties and all causes of action. This Court retains  
5 jurisdiction to enforce the settlement of this action. The Parties anticipate filing a  
6 formal dismissal *with* prejudice in approximately 120 days.

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9 **HYDE & SWIGART, APC**

10 Date: June 25, 2019

11 By: s/ Yana A. Hart  
12 Yana A. Hart, Esq.  
13 *Attorneys for Plaintiff*

14 **LAW OFFICES THOMAS M.**  
15 **BUCHENAU**

16 Date: June 25, 2019

17 By: s/ Thomas M. Buchenau  
18 Thomas M. Buchenau, Esq.  
19 *Attorneys for Defendant*

HYDE & SWIGART  
San Diego, California

*Gregory v. Systematic National Collections, Inc.*  
*Case No.: 3:18-cv-02657-DMS-JLB*  
*United States District Court, Southern District of California*

**CERTIFICATE OF SERVICE**

I, Emily Torromeo, the undersigned, declare as follows:

I am over the age of eighteen years and not a party to the case. I am employed in the County of San Diego, California where the mailing occurs: My business address is 2221 Camino Del Rio South, Suite 101, San Diego, CA 92108. I am readily familiar with our business' practice of collecting, processing and mailing of correspondence and pleadings for mail with the United Postal Service.

On the date below I electronically filed with the Court through its CM/ECF program, which will electronically mail notice to all attorneys of record in said case through the same program, the following document(s):

- **NOTICE OF JOINT MOTION FOR DISMISSAL OF ACTION WITHOUT PREJUDICE**

ELECTRONICALLY, Pursuant to the CM/ECF System, registration as a CM/ECF user constitutes consent to electronic service through the Court's transmission facilities. The Court's CM/ECF system sends an email notification of the filing to the parties and counsel of record listed above who are registered with the Court's CM/ECF system.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on Tuesday, June 25, 2019, at San Diego, California.

  
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Emily Torromeo



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