## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

)

Mario Aliano, individually, and on behalf of all others similarly situated,

Plaintiff,

v.

CVS Pharmacy, Inc., a Rhode Island Corporation,

Defendant.

Case No. 1:16-cv-02624-FB-SMG

## JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, plaintiff Mario Aliano and Defendant CVS Pharmacy, Inc., by and through their attorneys, jointly submit this Stipulation of Dismissal of this action without prejudice, with each party to bear its own costs and fees. The parties request that the Clerk of Court now close this case.

Plaintiff Mario Aliano,

Defendant CVS Pharmacy, Inc.,

By: <u>/s/ Thomas A. Zimmerman, Jr.</u> Thomas A. Zimmerman, Jr. *tom@attorneyzim.com* ZIMMERMAN LAW OFFICES, P.C. 77 W. Washington Street, Suite 1220 Chicago, Illinois 60602 (312) 440-0020 telephone (312) 440-4180 facsimile www.attorneyzim.com

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By: <u>/s/ Frank T. Spano</u>

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Counsel for Defendant

## **CERTIFICATE OF SERVICE**

Thomas A. Zimmerman, Jr., an attorney, hereby certifies that he caused the above and foregoing document to be served upon counsel of record in this case via the U.S. District Court CM/ECF System, on this day June 4, 2018.

s/Thomas A. Zimmerman, Jr.