

CIV-110

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Evan J. Smith, Esq., SBN 242352 Brodsky & Smith, LLC, 9595 Wilshire Blvd., Ste. 900, Beverly Hills, CA 90212 TELEPHONE NO.: 877-594-2590 FAX NO. (Optional): 310-247-0160 E-MAIL ADDRESS (Optional): esmith@brodsky-smith.com ATTORNEY FOR (Name): KAREN CALACIN		<b>FILED BY FAX</b> <b>ALAMEDA COUNTY</b> October 17, 2016 CLERK OF THE SUPERIOR COURT By Alicia Espinoza, Deputy <b>CASE NUMBER:</b> <b>RG16821808</b>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda STREET ADDRESS: Administration Bldg., 1221 Oak Street, Oakland CA 94612 MAILING ADDRESS: CITY AND ZIP CODE: Oakland CA 94612 BRANCH NAME:		
PLAINTIFF/PETITIONER: KAREN CALACIN DEFENDANT/RESPONDENT: IM BRANDS LLC, et al.		
<b>REQUEST FOR DISMISSAL</b>		CASE NUMBER: RG16821808
A conformed copy will not be returned by the clerk unless a method of return is provided with the document.		
This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)		

1. TO THE CLERK: Please dismiss this action as follows:

- a. (1)  With prejudice (2)  Without prejudice
- b. (1)  Complaint (2)  Petition
- (3)  Cross-complaint filed by (name): \_\_\_\_\_ on (date): \_\_\_\_\_
- (4)  Cross-complaint filed by (name): \_\_\_\_\_ on (date): \_\_\_\_\_
- (5)  Entire action of all parties and all causes of action
- (6)  Other (specify):\* only as to defendants IM BRANDS LLC, MARSHALLS OF MA, INC.

2. (Complete in all cases except family law cases.)

The court  did  did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed).

Date: October 17, 2016

Evan J. Smith, (TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)

(SIGNATURE) [Signature]

\*If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

Attorney or party without attorney for:  Plaintiff/Petitioner  Defendant/Respondent  Cross-Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.\*\*

Date: October 17, 2016

Evan J. Smith, Esq. (TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)

(SIGNATURE) [Signature]

\*\* If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581 (i) or (j).

Attorney or party without attorney for:  Plaintiff/Petitioner  Defendant/Respondent  Cross-Complainant

(To be completed by clerk)

4.  Dismissal entered as requested on (date): OCT 17 2016

5.  Dismissal entered on (date): OCT 17 2016 as to only (name): IM Brands LLC and

6.  Dismissal not entered as requested for the following reasons (specify): Marshalls of MA, Inc.

- 7. a.  Attorney or party without attorney notified on (date):
- b.  Attorney or party without attorney not notified. Filing party failed to provide  a copy to be conformed  means to return conformed copy

Date: OCT 17 2016

Clerk, by [Signature], Deputy