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By Fax

1 James R. Hawkins, Esq. SBN 192925
2 Isandra Fernandez, Esq. SBN 220482
3 **JAMES HAWKINS APLC**
4 9880 Research Drive, Suite 200
Irvine, CA 92618
TEL: (949) 387-7200
FAX: (949) 387-6676

5 Attorneys for Plaintiff, ANTHONY W. FORD
6 on behalf of himself and all others similarly situated

FILED
Superior Court of California
County of Los Angeles

DEC 21 2018

SHERRI R. CARTER / EXECUTIVE OFFICER/CLERK
BY *[Signature]* Deputy
MARICEL M...

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF LOS ANGELES

9
10 ANTHONY W. FORD on behalf of himself and
11 all others similarly situated

12 Plaintiff,

13 vs.

14 DOUGLAS EMMETT MANAGEMENT, LLC.
15 a Delaware limited liability company, and
16 DOES 1 through 50, inclusive,

17 Defendants.

Case No. BC705955

ASSIGNED FOR ALL PURPOSES TO:
JUDGE: HON. John Shepard Wiley, Jr.
DEPT: 9

**REQUEST FOR DISMISSAL OF CLASS
ACTION CLAIMS PURSUANT TO CRC
3.770 WITHOUT PREJUDICE AND
INDIVIDUAL CLAIMS WITHOUT
PREJUDICE; ~~PROPOSED~~ ORDER OF
DISMISSAL WITHOUT PREJUDICE**

[Declaration of Isandra Fernandez filed
concurrently herewith]

18
19 **RECEIVED**
20 LOS ANGELES SUPERIOR COURT

21 DEC 17 2018

22 I. LOVO

23
24 Plaintiff ANTHONY W. FORD (hereinafter referred to as "Plaintiff") hereby applies to
25 this Court for dismissal of the class action claims and individual claims without prejudice
26 pursuant California Rules of Court, Rule 3.770 (a). (See Declaration of Isandra Fernandez
27 ("Fernandez Decl." ¶ 2)

1 As set forth in the accompanying declaration submitted in accordance with California
2 Rules of Court, rule 3.770(a), no consideration, either direct or indirect, was provided to Plaintiff
3 or his counsel, in exchange for the dismissal of the class action claims alleged in this lawsuit.
4 (Fernandez Dec. ¶ 6.)

5 Further, Rule 3.770(c), California Rules of Court provides:

6 If the court has not ruled on class certification, or if notice of the pendency of the
7 action has not been provided to class members in a case in which such notice was
8 required, notice of the proposed dismissal may be given in the manner and to
9 those class members specified by the court, *or the action may be dismissed
without notice to the class members if the court finds that the dismissal will not
prejudice them.* (emphasis added)

10 This Court has not ruled on certification, and dismissal of the instant case would not
11 prejudice the class because (a) a class has not been certified, and (b) the claims asserted in this
12 action are being dismissed without prejudice. Therefore, notice to class members of the
13 dismissal is unnecessary.

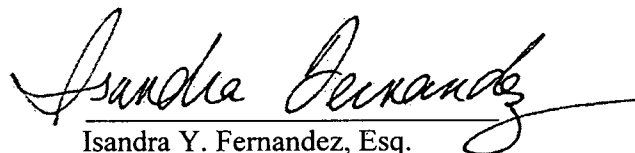
14 C. CONCLUSION

15 Based on the foregoing, Plaintiff Anthony W. Ford respectfully requests that the Court
16 dismiss the class action claims against Douglas Emmett without prejudice pursuant California
17 Rules of Court, Rule 3.770 (a) and dismiss Plaintiff's individual claims against Douglas Emmett
18 without prejudice.

19 Respectfully submitted,

20
21 Dated: December 14, 2018

JAMES HAWKINS, APLC

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24 Isandra Y. Fernandez, Esq.
25 Attorneys for Plaintiff
26 Anthony W. Ford
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[PROPOSED] ORDER

The Court having considered the Request for Dismissal pursuant to California Rules of Court 3.770, and good cause appearing therefore, the class action claims in the above entitled action are dismissed without prejudice and Plaintiff's individual claims are also dismissed without prejudice.

IT IS HEREBY ORDERED.

Dated: December 4, 2018



Hon. John Shepard Wiley Jr.
Amy Hogue

