## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

SHAKEEMA MASON on Behalf of	§	
Herself and on Behalf of All Others	Š	
Similarly Situated,	§	
•	§	
Plaintiff,	§	
	§	CIVIL ACTION NO. 4:22-cv-1956
v.	§	
	§	JURY TRIAL DEMANDED
WAFFLE HOUSE, INC. and WH	§	
CAPITAL, LLC	§	
	§	
Defendants.	§	
	§	

## NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO RULE 41(a)(1)(A)(i)

Plaintiff Shakeema Mason files this Notice of Dismissal Without Prejudice pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, and would respectfully show the Court the following:

I.

- 1. Plaintiff filed her Complaint on June 15, 2022. (Doc. No. 1.) To date, Defendants have not filed an Answer or a Motion for Summary Judgment.
- 2. This case is not governed by any federal statute that requires a court order for dismissal of the case.
- 3. Plaintiff has not previously dismissed any federal or state court suit based on or including the same claims as those presented in this case.
  - 4. This dismissal is without prejudice.
  - 5. All costs and fees accrued to date shall be borne by the party incurring the same.

Respectfully submitted,

/s/ Don J. Foty

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Attorney for Plaintiff

## **CERTIFICATE OF SERVICE**

I hereby certify that on November 11, 2022, a true and correct copy of the foregoing *Notice* of *Dismissal Without Prejudice Pursuant to Rule* 41(a)(1)(A)(i) was filed electronically and served via the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Don J. Foty
Don J. Foty