

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALICIA MARSHALL, *et al.*, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

PRESTAMOS CDFI, LLC,

Defendant.

Civil Action No. 5:21-cv-04337-JMG

**JOINT STIPULATION VOLUNTARILY DISMISSING PLAINTIFFS
EZRA BEATTIE, KIANA DERVIN, NANCILEE HOLLAND, DUSTIN INNIS, DANIEL
PRONSKY, AND KELLY STALNAKER AS PUTATIVE CLASS REPRESENTATIVES**

WHEREAS, by Order on May 2, 2024 (ECF No. 107), the Court granted Plaintiffs' motion to file a third amended complaint and Plaintiffs' Third Amended Complaint was docketed and deemed filed (ECF No. 108);

WHEREAS, by Order on May 28, 2024 (ECF No. 123), the Court issued an Amended Scheduling Order directing that all fact discovery in Phase One (1) shall be completed no later than August 30, 2024;

WHEREAS, counsel for Plaintiffs have been unable to contact Named Plaintiffs Ezra Beattie, Kiana Dervin, Nancilee Holland, Dustin Innis, Daniel Pronsky, or Kelly Stalnakar to schedule depositions by Defendant;

WHEREAS, Named Plaintiffs Ezra Beattie, Kiana Dervin, Nancilee Holland, Dustin Innis, Daniel Pronsky, and Kelly Stalnakar have failed to verify interrogatories, produce tax returns and bank statements, or in the alternative, provide written certifications that no responsive documents are in their care, custody, or control, as Ordered by the Court on May 28, 2024 (ECF No. 123);

WHEREAS, on August 2, 2024, the parties sent to the Court, pursuant to Judge Gallagher's Policies and Procedures II(A)(4), a Joint Stipulation to dismiss the aforementioned Named Plaintiffs should they not provide written discovery, consistent with this Court's May 28, 2024 (ECF No. 123), and agree to a date for a deposition by August 10, 2024;

WHEREAS the Court approved the stipulation on August 7, 2024;

WHEREAS the aforementioned Named Plaintiffs have not, in fact, provided written discovery or agreed to a date for a deposition, and have missed the agreed-to deadline of August 10, 2024.

NOW, THEREFORE, the parties hereby stipulate as follows:

1. Named Plaintiffs Ezra Beattie, Kiana Dervin, Nancilee Holland, Dustin Innis, Daniel Pronsky, and Kelly Stalnaker shall be dismissed as putative class representatives.
2. Notwithstanding the foregoing, Plaintiffs Ezra Beattie, Kiana Dervin, Nancilee Holland, Dustin Innis, Daniel Pronsky, and Kelly Stalnaker shall retain the right to participate as absent class members to the extent permitted by law.

Dated: August 13, 2024

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IT IS SO ORDERED.

August 16th, 2024.

Respectfully submitted,

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Hon. JOHN M. GALLAGHER
United States District Judge