

Hon. Andrea R. Wood

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

CHRISTOPHER MOEHL, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

THE NATIONAL ASSOCIATION OF
REALTORS, REALOGY HOLDINGS
CORP., HOMESERVICES OF AMERICA,
INC., RE/MAX HOLDINGS, INC., and
KELLER WILLIAMS REALTY, INC.,

Defendants.

Civil Action No.: 1:19-cv-01610

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE AS TO
DEFENDANT RE/MAX HOLDINGS,
INC.**

Plaintiff Christopher Moehrl, Defendant RE/MAX Holdings, Inc., RE/MAX, LLC, and
RMCO, LLC, hereby stipulate and agree as follows:

1. RE/MAX, LLC, is the proper RE/MAX corporate entity to defend this action, though RE/MAX, LLC, does not believe or concede that any claims are properly brought against it.
2. Dropping RE/MAX Holdings, Inc., when Plaintiff files his Consolidated Amended Complaint, and not naming another RE/MAX corporate entity, RMCO, LLC, is without prejudice.
3. For purposes of this action, documents in the possession, custody, or control of RE/MAX Holdings, Inc. and RMCO, LLC, if any, will be deemed in the possession, custody, or control of defendant RE/MAX, LLC.
4. RE/MAX, LLC, will not object to a request for a deposition on the grounds that the prospective deponent is an employee of RE/MAX Holdings, Inc., or RMCO, LLC. RE/MAX, LLC does not waive the ability to object on other proper grounds, for

example, that the deponent lacks personal knowledge or involvement in any matters at issue.

5. The statute of limitations will be tolled for claims against RE/MAX Holdings, Inc., and RMCO, LLC, over the course of the case.
6. In reliance upon the representations and warranties made above, Plaintiff agrees to dismiss RE/MAX Holdings, Inc., without prejudice as allowed under Rule 41(a)(1) of the Federal Rules of Civil Procedure, and not to name RMCO, LLC as a party to the action.
7. Plaintiff has not released, and nothing in this Stipulation should be construed as a release or discharge of, any claim Plaintiff has or may have in the future against any defendant named in this suit. All rights have been expressly reserved.

Accordingly, Plaintiff, RE/MAX Holdings, Inc., RE/MAX, LLC, and RMCO, LLC request that the Court enter the attached order dismissing RE/MAX Holdings, Inc., without prejudice.

June 14, 2019

/s/ Paula W. Render

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CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/Marc M. Seltzer
Attorney Signature

Hon. Andrea R. Wood

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**ORDER OF DISMISSAL WITHOUT
PREJUDICE OF RE/MAX HOLDINGS,
INC.**

Before the Court is the Stipulation of Dismissal without Prejudice as to Defendant RE/MAX Holdings, Inc. Pursuant to the stipulation of the parties, it is hereby ordered that RE/MAX Holdings, Inc., is dismissed from this action without prejudice.

Dated: _____, 2019.

Hon. Andrea Wood, U.S.D.J.