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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

DAVID J. ROMEO, individually, and in his capacity as an officer of Stella Labs, LLC, and Nutraceuticals International, LLC; **STELLA LABS, LLC**, a limited liability company; **NUTRACEUTICALS INTERNATIONAL, LLC**, a limited liability company; **DEBORAH B. VICKERY**, individually, and as an employee of Stella Labs, LLC and Nutraceuticals International, LLC; **V. CRAIG PAYTON**, individually, and in his capacity as an officer of Stella Labs, LLC; and **ZOLTAN KLIVINYI**, individually, and in his capacity as an officer of Nutraceuticals International, LLC,

Defendants.

Hon. William J. Martini

CASE NO. 09-1262-WJM

**NOTICE OF VOLUNTARY
DISMISSAL OF
DEFENDANT ZOLTAN
KLIVINYI PURSUANT TO
FRCP 41(a)1**

Plaintiff Federal Trade Commission hereby gives notice of its voluntary dismissal without prejudice of Defendant Zoltan Klivinyi, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

Defendant Klivinyi has not filed an answer or motion for summary judgment as of this time. In support of this notice Plaintiff relies on Rule 41(a)(1) of the Federal Rules of Civil Procedure and the attached Declaration of Victor F. DeFrancis.

Respectfully Submitted,
WILLARD K. TOM
General Counsel

Dated: February 19, 2010

/s/ Victor F. DeFrancis
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