

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

LABORATORIOS PISA S.A. de C.V;
AND CAB ENTERPRISES, INC.,

Plaintiff,

V.

PEPSICO, INC.; AND STOKELY-VAN
CAMP, INC.,

Defendants.

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Civil No. 7:21-CV-0062

JURY DEMANDED

**JOINT STIPULATION TO WITHDRAW PLAINTIFFS' MOTION FOR A
TEMPORARY RESTRAINING ORDER, ORDER TO DISSOLVE THE FEBRUARY 27,
2021 TEMPORARY RESTRAINING ORDER, AND PROPOSED ORDER OF
DISMISSAL WITH PREJUDICE**

Plaintiffs LABORATORIOS PISA S.A. de C.V; AND CAB ENTERPRISES, INC.,
(collectively “Plaintiffs”), and Defendants PEPSICO, INC.; AND STOKELY-VAN CAMP, INC.,
(collectively “PepsiCo” and together with Plaintiffs, the “Parties”), by and through their
undersigned counsel, state as follows:

WHEREAS, on February 18, 2021, pursuant to Fed. R. Civ. P. 65, Plaintiffs filed Emergency Motions for Temporary Restraining Order and Order to Show Cause for a Preliminary Injunction [Dkt. 2].

WHEREAS, on February 26, 2021, the Court heard the arguments of counsel on Plaintiffs’
Motions.

WHEREAS, on February 27, 2021, the Court entered its Order granting Plaintiffs’ Motions and issued a Temporary Restraining Order [Dkt. 35].

WHEREAS, the Parties have now reached a confidential settlement agreement under which the Parties have agreed to the terms of this stipulation.

WHEREAS, the Parties stipulate that this action be DISMISSED WITH PREJUDICE.

IT IS THEREFORE STIPULATED AND AGREED and HEREBY ORDERED under Rule 41(a)(2) that:

1. Plaintiffs' Motions for Temporary Restraining Order and Order to Show Cause for a Preliminary Injunction is dismissed with prejudice;
2. The Court dissolves its February 27, 2021 TRO [Dkt. 35];
3. This action is DISMISSED WITH PREJUDICE, with each party to bear their own costs and expenses including attorney's fees; and
4. This Court shall retain jurisdiction for the purposes of enforcing the terms of the Parties' settlement agreement.

Dated: March 09, 2021

/s/ Timothy S. Durst

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ATTORNEYS FOR PLAINTIFFS

SIGNED on this the _____ day of _____, 2021.

UNITED STATES DISTRICT JUDGE