

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

ROBERT EARL COUNCIL AKA KINETIK
JUSTICE, *et al.*,

Plaintiffs,

v.

KAY IVEY, *et al.*,

Defendants.

Case No. 2:23-cv-00712-CLM-JTA

**NOTICE OF VOLUNTARY
DISMISSAL OF DEFENDANT
PREMIER KINGS INC. d/b/a
BURGER KING**

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs in this action voluntarily dismiss without prejudice their claims against Defendant Premier Kings Inc. d/b/a Burger King (“Premier Kings”), which has not served an answer or motion for summary judgment. Counsel for Plaintiffs represents that she conferred with counsel for Premier Kings, and Premier Kings does not oppose this dismissal.

DATED: January 22, 2024

Respectfully submitted,
/s/ Barbara J. Chisholm

MICHAEL RUBIN (CA SBN 80618)*
BARBARA J. CHISHOLM (CA SBN 224656)*
CONNIE K. CHAN (CA SBN 284230)*
AMANDA C. LYNCH (CA SBN 318022)*
ALTSHULER BERZON LLP
177 Post St., Suite 300
San Francisco, CA 94108
Telephone: (415) 421-7151
Email: mrubin@altber.com; bchisholm@altber.com;
cchan@altber.com; alynch@altber.com

JANET HEROLD (CA SBN 186419)*
JUSTICE CATALYST LAW
40 Rector Street, 9th Floor
New York, NY 10008
Telephone: (518) 732-6703
Email: jherold@justicecatalyst.org

*Counsel for All Plaintiffs and the Proposed Classes
and Subclasses*

**Appearing pro hac vice*

GEORGE N. DAVIES (SBN ASB-3923-A63G)
RICHARD P. ROUCO (SBN ASB-6182-R76R)
QUINN, CONNOR, WEAVER,
DAVIES & ROUCO LLP
2 – 20th Street North, Suite 930
Birmingham, AL 35203
Telephone: (205) 870-9989
Email: gdavies@qcwdr.com; rrouco@qcwdr.com

Counsel for Plaintiffs RWDSU and SEIU

LAUREN FARAINO (SBN ASB-8098-C65A)
FARAINO, LLC
2647 Rocky Ridge Ln.
Vestavia Hills, AL 35216
Telephone: (205) 737-3171
Email: lauren@farainollc.com

*Counsel for The Woods Foundation, Individual
Plaintiffs, and the Proposed Classes and Subclasses*

CERTIFICATE OF SERVICE

I hereby certify that on January 22, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

- Counsel for Kay Ivey and Steve Marshall: Brad A. Chynoweth, brad.chynoweth@alabamaag.gov; Benjamin Matthew Seiss, ben.seiss@alabamaag.gov
- Counsel for Leigh Ivey, Darryl Littleton, and Gabrelle Simmons: Gary Lee Willford, Jr., gary.willford@paroles.alabama.gov
- Counsel for John Hamm: Cameron Wayne Elkins, cameron.elkins@alabamaag.gov; Tara S. Hetzel, tara.hetzel@alabamaag.gov
- Counsel for John Cooper: Steven Anthony Higgins, higgins@dot.state.al.us; William Franklin Patty, pattyw@dot.state.al.us
- Counsel for Koch Foods, LLC: Rachel V. Barlotta, rbarlotta@bakerdonelson.com; Kayla Michelle Wunderlich, kwunderlich@bakerdonelson.com
- Counsel for Premier Kings Inc.: Morgan Leigh Allred, morgan.allred@hklaw.com

I further certify that, shortly after the foregoing is electronically filed, my office will mail by United States Postal Service the document and notice of electronic filing to the following non-CM/ECF participants:

- City of Montgomery: Steven L. Reed, Mayor, City of Montgomery, City Hall, Room 206, 103 North Perry Street, Montgomery, AL 36104
- City of Troy: Jason A. Reeves, Mayor, City of Troy, P.O. Box 549, Troy, AL 36081-0549
- Jefferson County: Cal Markert, Chief Executive Officer, Jefferson County, 716 Richard Arrington Jr. Blvd. N., Suite 260, Birmingham, AL 35203
- RCF, LLC d/b/a Gemstone Foods, LLC: c/o National Registered Agents Inc., 2 North Jackson Street, Suite 605, Montgomery, AL 36104

- Counsel for SL Alabama, LLC; Hwaseung Automotive USA, LLC; and Ju-Young Manufacturing America, Inc.: Mike Lucas, Allison Hawkins, and Hwang Ingu, Burr Forman LLP, 420 North 20th St., Ste. 3400, Birmingham, AL 35203
- Progressive Finishes, Inc.: c/o Johnny W. Davis, 501 Industrial Dr., Alabaster, AL 35007
- C.B.A.K, Inc. d/b/a McDonald's: c/o Cynthia Samour, 1010 South McKenzie St., Foley, AL 36535
- Southeast Restaurant Group-Wen LLC: c/o CT Corporation System, 2 North Jackson Street, Suite 605, Montgomery, AL 36104
- Pell City Kentucky Fried Chicken, Inc. d/b/a Kentucky Fried Chicken, Inc., d/b/a KFC: c/o Michael Warren, 703 23rd St. N, Pell City, AL 35125-1331
- Masonite Corporation: c/o Corporate Creations Network Inc., 4000 Eagle Point Corporate Dr., Birmingham, AL 35242
- Cast Products, Inc.: c/o Mike Medlen, President, 23215 Founders Circle, Athens, AL 35613
- Southeastern Meats, Inc.: c/o Jamie Ardrey, President, 400 Industrial Drive, Birmingham, AL 35211
- Paramount Services, Inc.: c/o Peggy Dye, 2917 Lomb Ave., Birmingham, AL 35208-4827
- Bama Budweiser of Montgomery, Inc.: c/o Steve Tatum, 500 N. Perry Street, Montgomery, AL 36104

Respectfully submitted,

/s/ Barbara J. Chisholm

BARBARA J. CHISHOLM (CA SBN
224656)
ALTSHULER BERZON LLP
177 Post St., Suite 300
San Francisco, CA 94108
Telephone: (415) 421-7151
Email: bchisholm@altber.com