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7 Attorneys for Plaintiff
MICHAEL ANDREWS

8
9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION
11

12 MICHAEL ANDREWS,

13 Plaintiff,

14 v.

15 EQUINOX HOLDINGS, INC., a Delaware
corporation; and DOES 1 to 10, inclusive,

16 Defendants.
17

Case No. 3:20-cv-00485-SK

**PLAINTIFF'S NOTICE OF
ACCEPTANCE OF DEFENDANT'S
RULE 68 OFFER OF JUDGMENT**

Judge: Hon. Sallie Kim

Date of Removal: January 22, 2020
Complaint Filed: December 27, 2019
Trial Date: November 2, 2021

1 Pursuant to Rule 68(a) of the Federal Rules of Civil Procedure, Plaintiff Michael
2 Andrews, through his undersigned counsel, hereby accepts and provides notice that he has
3 accepted Defendant's Rule 68 Offer of Judgment to Plaintiff dated August 23, 2021,
4 attached hereto as **Exhibit A**.

5
6 DATED: September 3, 2021

Respectfully submitted,

7 ROSEN BIEN GALVAN & GRUNFELD LLP

8 By: Sanford Jay Rosen

9 Sanford Jay Rosen

10 Attorneys for Plaintiff MICHAEL ANDREWS
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Exhibit A

CONFIDENTIAL**NOT FOR FILING WITH COURT UNLESS ACCEPTED BY PLAINTIFF**

Dylan B. Carp (State Bar No. 196846)
Kayla M. Rathjen (State Bar No. 330046)
JACKSON LEWIS P.C.
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Attorneys for Defendant
EQUINOX HOLDINGS, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MICHAEL ANDREWS,

Plaintiff,

v.

EQUINOX HOLDINGS, INC., a Delaware
corporation; and DOES 1 to 10, inclusive,

Defendants.

Case No. 3:20-cv-00485-SK

RULE 68 OFFER OF JUDGMENT

Complaint Filed: 12/27/2019

Trial Date: 11/02/2021

Defendant Equinox Holdings, Inc. hereby offers to allow entry of judgment pursuant to Rule 68 of the Federal Rules of Civil Procedure as follows: Judgment in favor of Plaintiff Michael Andrews against Defendant Equinox Holdings, Inc. in the sum of \$162,000.00 plus costs and reasonable attorney's fees incurred by Plaintiff to the date of this offer in an amount to be determined by the Court, in full and complete settlement of all claims against Defendant in this action.

Dated: August 23, 2021

JACKSON LEWIS P.C.

By: 

Dylan B. Carp
Kayla M. Rathjen
Attorneys for Defendant
DEFENDANT EQUINOX HOLDINGS,
INC.

CERTIFICATE OF SERVICE

I, Belinda Vega, declare that I am employed with the law firm of Jackson Lewis P.C., whose address is 50 California Street, 9th Floor, San Francisco, California 94111-4615; I am over the age of eighteen (18) years and am not a party to this action.

On August 23, 2021, I served the attached **RULE 68 OFFER OF JUDGMENT** in this action by e-mailing a true and correct copy thereof (in PDF format) to Plaintiff's counsel of record, whose address and e-mail addresses are as follows:

Sanford Jay Rosen, Esq.	Attorneys for Plaintiff
Jenny S. Yelin, Esq.	
Adrienne P. Harrold, Esq.	MICHAEL ANDREWS
Rosen Bien Galvan & Grunfeld LLP	
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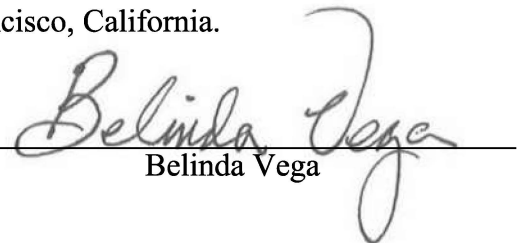
☐ **BY MAIL:** United States Postal Service by placing sealed envelopes with the postage thereon fully prepaid, placed for collection and mailing on this date, following ordinary business practices, in the United States mail at San Francisco, California. [() *Courtesy copy by e-mail/fax.*]

☐ **BY HAND DELIVERY:** I caused such envelope to be delivered by hand to the above address.

☒ **BY ELECTRONIC MAIL:** I caused such document to be transmitted by electronic mail from Belinda.Vega@jacksonlewis.com to the e-mail addresses indicated above (by written agreement under FRCP, rule 5(b)(2)(E); First Amended Stipulation re Electronic Service, dated 4/28/2020); "however, counsel for the parties agree that service by electronic transmission will act the same as service by mail under FRCP, rule 5(b)(2)(C)."

I declare, under penalty of perjury, that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on August 23, 2021, at San Francisco, California.


Belinda Vega

4850-8920-6775, v. 1