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6 Attorneys for Defendant  
 7 CERTAINTEED CORPORATION

8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA- FRESNO

11 EDDIE HOLTZCLAW,  
 12 Plaintiff,

14 v.

16 CERTAINTEED CORPORATION and DOES 1  
 through 50, inclusive  
 17 Defendants.

Case No. 1:09-CV-01599- GSA

**STIPULATION AND ORDER  
 REGARDING PLAINTIFF’S CLAIMS  
 FOR EMOTIONAL DISTRESS  
 DAMAGES**

Removal Filed: September 9, 2009  
 Trial Date: April 18, 2011

19 Plaintiff EDDIE HOLTZCLAW (“Plaintiff”) and Defendant CERTAINTEED  
 20 CORPORATION (“Defendant”) hereby stipulate as follows:

21 1. Plaintiff and Defendant agree that Plaintiff is not claiming any damages for any  
 22 alleged mental, emotional, psychiatric, psychological or physical injury, effect, or impairment  
 23 over and above those usually associated with the causes of action pled in Plaintiff’s Complaint,  
 24 including but not limited to: Violation of California Government Code § 12940 et seq.  
 25 (Discrimination Based on Age), Violation of California Government Code § 12940(a), (m)  
 26 (Discrimination, Failure to Provide Reasonable Accommodation), Violation of California  
 27 Government Code § 12940(n) (Failure to Engage in Good Faith Interactive Process), Wrongful  
 28 Termination in Violation of Public Policy and Retaliation.

