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2 As explained in the Court's Orders on Cross-Motions for Summary Judgment/Summary  
3 Adjudication (docket #98), the Court Orders the Following:

4       1.     The Court rules upon Defendant's evidentiary objection to Plaintiff's  
5 medical evidence and finds that such evidence shall be admitted under the residual  
6 exception to the hearsay rule (FRE 807).

7       2.     Plaintiff's motion for partial summary judgment on the issue of serious  
8 health condition is GRANTED, and the Court finds and summarily adjudicates that this  
9 element of Plaintiff's claims is proven.  
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11       3.     Plaintiff and Defendant FPF's motions on the first and third claims  
12 regarding interference for mischaracterizing Plaintiff's leave in violation the FMLA and  
13 CFRA are DENIED.

14       4.     Plaintiff and Defendant's motions on the second and fourth claims  
15 regarding interference for termination of Plaintiff in violation of the FMLA and CFRA are  
16 DENIED.  
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18       5.     Defendant's motion regarding the fifth claim for the failure to prevent  
19 discrimination under the FEHA is GRANTED.

20       6.     Defendant's motion regarding the sixth claim for wrongful termination in  
21 violation of public policy is DENIED.  
22

23       7.     Plaintiff is the prevailing party regarding the failure to promptly pay wages  
24 owed.

25       8.     Defendant's motions regarding punitive damages for the claims arising  
26 under State law are GRANTED.  
27

28       9.     Defendant's motion regarding penalty damages for failure to promptly pay  
wages owed is DENIED.

1           10. Plaintiff's motion regarding the affirmative defense of unclean hands is  
2 DENIED.

3           11. Plaintiff's motion regarding the affirmative defenses of waiver, estoppel,  
4 laches, acquiescence, and/or consent is GRANTED.  
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6           12. Plaintiff's motion regarding the affirmative defense of good faith is  
7 DENIED.

8           13. Plaintiff's motion regarding the affirmative defense of mitigation of  
9 damages is DENIED.  
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11  
12 IT IS SO ORDERED.

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14 Dated: June 14, 2011

/s/ OLIVER W. WANGER  
United States District Court Judge