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14 CCA of Tennessee, LLC

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16 **UNITED STATES DISTRICT COURT**
17 **EASTERN DISTRICT OF CALIFORNIA, BAKERSFIELD DIVISION**
18

19 TERESSA KELLEY, an individual,

20 Plaintiff,

21 vs.

22 CORRECTIONS CORPORATION OF
23 AMERICA, a corporation; and Does 1
24 through 50, inclusive,

25 Defendants.
26

) Case No. 1:10-CV-01294-AWI-JLT
)

) State Court Case No. S-1500-CV-269975-WDP
)

) **STIPULATION AND [PROPOSED] ORDER**
) **FOR DISMISSAL WITH PREJUDICE**
)

) Judge: Hon. Anthony W. Ishii
) Action Filed: March 25, 2010
) Trial Date: February 14, 2012
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PROOF OF SERVICE

THE PARTIES TO THE ABOVE-CAPTIONED MATTER, by and through their respective attorneys of record, hereby enter into this stipulation regarding dismissal of the entire action with prejudice as follows:

WHEREAS, on June 23, 2010, plaintiff Teressa Kelley (“Plaintiff”) filed a complaint in the Superior Court for the State of California, County of Kern, Case No. S-1500-CV-269975 WDP, against Corrections Corporation of America, wherein she alleged the following causes of action: (1) unlawful discrimination based upon physical disability in violation of FEHA – Government Code section 12940, *et seq.*; (2) failure to reasonably accommodate physical disability in violation of FEHA – Government Code section 12940, *et seq.*; (3) failure to engage in the interactive process in violation of FEHA – Government Code section 12940, *et seq.*; (4) retaliation in violation of FEHA – Government Code section 12940, *et seq.*; and (5) wrongful termination in violation of public policy (the “Action”); and

WHEREAS, on July 20, 2010, Corrections Corporation of America removed the Action to the United States District Court, Eastern District of California; and

WHEREAS, on September 29, 2010, the Honorable Jennifer L. Thurston ordered that Corrections Corporation of America be substituted by CCA of Tennessee, LLC (“CCA”) in the Action; and

WHEREAS, on October 18, 2010, Plaintiff filed her First Amended Complaint in the Action; and

WHEREAS, counsel for Plaintiff and CCA (hereinafter collectively referred to as the “Parties”) have discussed the merits of this case and have agreed to informally resolve this dispute in its entirety; and

WHEREAS, the Parties have also agreed to bear their own costs and attorneys’ fees in connection with the above-captioned matter.

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NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Parties, through their designated counsel, that this case be dismissed in its entirety, with prejudice, against CCA pursuant to Federal Rules of Civil Procedure Rule 41(a)(1), and that each party shall bear its own costs and attorneys' fees.

Dated: March 29, 2011

BONONI LAW GROUP, LLP
PETER C. FLANDERKA
ANNE S. KELSON

/s/ Peter C. Flanderka
(As authorized on 3/29/11)

By: _____
Peter C. Flanderka

Attorneys for Plaintiff Teresa Kelley

Dated: March 29, 2011

GLEASON & FAVAROTE, LLP
PAUL M. GLEASON
RICHARD Y. CHEN
KATHY H. GAO

/s/ Richard Y. Chen

By: _____
Richard Y. Chen

Attorneys for Defendant CCA of Tennessee,
LLC

ORDER

IT IS SO ORDERED that the parties, through their designated counsel, have reached a settlement and have agreed to dismiss the above-captioned case in its entirety, with prejudice, pursuant to Federal Rules of Civil Procedure Rule 41(a)(1), and that each party shall bear its own costs and attorneys' fees. The clerk of the court is directed to close this case in its entirety.

IT IS SO ORDERED.

Dated: March 31, 2011



CHIEF UNITED STATES DISTRICT JUDGE

