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9 SFN Group, Inc. (f/k/a Spherion Corporation)
(erroneously sued as Spherion, Inc.)

10 UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA

12 ALICIA VILLALVASO,) Case No. 10-cv-02369-OWW-MJS
13 Plaintiff,)
14)
15 v.)
16 ODWALLA, INC., a California Corporation;)
SPHERION, INC., a Delaware Corporation; and)
MARIO ACOSTA, an Individual,)
17)
18 Defendants.)

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Defendant SFN Group, Inc.'s, (f/k/a Spherion Corporation and erroneously sued as Spherion, Inc.) Motion to Dismiss Plaintiff's Complaint came on regularly for hearing on April 18, 2011 before Honorable Oliver W. Wanger. Lindsay S. Fitch from Seyfarth Shaw LLP appeared on behalf of defendant Spherion and Felicia Espinosa appeared on behalf of plaintiff.

Having considered all materials filed in support of and in opposition to the motion, and oral argument having been had, having reviewed the papers submitted in favor of and in opposition to Spherion's motion, and the authorities and argument of counsel thereon, and good cause appearing therefore, the Court orders as follows:

1. Plaintiff's Title VII claims against Spherion are DISMISSED WITHOUT PREJUDICE;

2. Plaintiff's FEHA claims against Spherion are DISMISSED WITHOUT
PREJUDICE;

3. Plaintiff's wrongful termination in violation of public policy claim against Spherion is DISMISSED WITH PREJUDICE; and

4. Plaintiff's sexual battery claim against Spherion is DISMISSED WITHOUT PREJUDICE.

Any amended complaint must comply with Rules 8 and 11 of the Federal Rules of Civil Procedure and must be filed within twenty (“20”) days following the electronic service of the Court’s Memorandum of Decision regarding defendant’s Motion to Dismiss. If an amended complaint is filed, defendant shall have twenty (“20”) days from the date of electronic service of the Complaint to respond. This Order is consistent with and made for the reasons discussed in the attached Memorandum of Decision.

IT IS SO ORDERED.

Dated: May 2, 2011

/s/ OLIVER W.WANGER
UNITED STATES DISTRICT JUDGE