

SEYFARTH SHAW LLP  
Alfred L. Sanderson Jr. (SBN 186071)  
E-mail: [asanderson@seyfarth.com](mailto:asanderson@seyfarth.com)  
Kristina M. Launey (SBN 221335)  
E-mail: [klauney@seyfarth.com](mailto:klauney@seyfarth.com)  
Lindsay S. Fitch (SBN 238227)  
E-mail: [lfitch@seyfarth.com](mailto:lfitch@seyfarth.com)  
400 Capitol Mall, Suite 2350  
Sacramento, California 95814-4428  
Telephone: (916) 448-0159  
Facsimile: (916) 558-4839

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

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ALICIA VILLALVASO,  
  
Plaintiff,  
  
v.

ODWALLA, INC., a California Corporation;  
SPHERION, INC., a Delaware Corporation; and  
MARIO ACOSTA, an Individual,  
  
Defendants.

) Case No. 10-cv-02369-OWW-MJS

)  
) **ORDER ON SFN GROUP, INC.'S**  
) **MOTION TO DISMISS**

)  
) Complaint Filed: December 17, 2010

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

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

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

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

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

15           **IT IS SO ORDERED.**

16  
17 Dated: May 2, 2011

/s/ OLIVER W. WANGER  
UNITED STATES DISTRICT JUDGE