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ANAND D. GALA, and JONATHAN LITT

Counsel for Plaintiffs on following page

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

MARCUS T. AREYANO, an individual;
FRANK W. BARTLETT, an individual;
GUADALUPE GONZALEZ, an individual;
MARY PEARL RIVERA, an individual;
BRIAN RIGGINS, an individual; JUDD
ROGERS, an individual; DARREN
CAMPBELL, an individual; VINCENT
CLINE, an individual; and RICHARD WILDT,
an individual,

Plaintiffs,

vs.

TACAZA, INC. dba FAMOUS DAVE'S, a
California corporation; TACAZA II, INC. dba
FAMOUS DAVE'S, a California corporation;
ANAND D. GALA, an individual;
JONATHAN LITT, an individual; and DOES 1
to 100, inclusive,

Defendants.

Case No. 1:11CV00171 LJO DLB

**STIPULATION TO SUBMIT CLAIMS TO
ARBITRATION; ORDER**

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7 Attorneys for Plaintiffs
MARCUS T. AREYANO, FRANK
8 W. BARTLETT, GUADALUPE
GONZALEZ, MARY PEARL RIVERA,
9 BRIAN RIGGINS, JUDD ROGERS,
DARREN CAMPBELL, VINCENT CLINE,
10 and RICHARD WILDT

STIPULATION

This Stipulation is made and entered into between Plaintiffs Marcus T. Areyano, Frank W. Bartlett, Guadalupe Gonzalez, Mary Pearl Rivera, Brian Riggins, Judd Rogers, Darren Campbell, Vincent Cline, and Richard Wildt (collectively, "Plaintiffs") and Defendants Tacaza, Inc. dba Famous Dave's, Tacaza II, Inc. dba Famous Dave's, Anand D. Gala, and Jonathan Litt (collectively, "Defendants"), by and through their respective counsel, with reference to the following:

1. WHEREAS, on November 15, 2010, Plaintiffs filed their Complaint in the above-referenced matter in Fresno County Superior Court, Case No. 10 CE CG 03994;

2. WHEREAS, on December 20, 2010, Plaintiffs filed their First Amended Complaint in the above-referenced matter in Fresno County Superior Court;

3. WHEREAS, on January 31, 2011, Defendants removed this action to this Court;

4. WHEREAS, on March 30, 2011, Plaintiffs filed their Second Amended Complaint in the above-referenced matter;

5. WHEREAS, on April 20, 2011 Defendants filed their First Amended Answer to Plaintiffs' Second Amended Complaint;

6. WHEREAS, on or about March 10, 2011, Plaintiffs, except plaintiff Areyano, demanded that their claims be arbitrated pursuant to agreements they signed while employed by Tacaza, Inc. and Areyano agreed to stipulate to submit his claims to arbitration under the same terms as the other plaintiffs;

7. WHEREAS, on April 29, 2011, plaintiffs Guadalupe Gonzalez, Frank W. Bartlett, Mary Pearl Rivera, Brian Riggins, Judd Rogers, Darren Campbell, and Vincent Cline filed a Petition for Order Compelling Arbitration and Request for Stay Pending Arbitration;

8. WHEREAS, on May 4, 2011, plaintiffs Guadalupe Gonzalez, Frank W. Bartlett, Mary Pearl Rivera, Brian Riggins, Judd Rogers, Darren Campbell, Vincent Cline, and Richard Wildt filed a Motion for Order Compelling Arbitration and Request for Stay Pending Arbitration (the "Motion");

1 9. WHEREAS on May 9, 2011, Defendants provided Plaintiffs' counsel with a copy of
2 plaintiff Areyano's signed arbitration agreement;

3 10. WHEREAS, on June 3, 2011 the parties attended a telephone conference call with
4 Judge Beck regarding Plaintiffs' Motion and expressed their agreement to submit Plaintiffs claims to
5 arbitration;

6 11. WHEREAS, the parties agree that all of Plaintiffs claims against Defendants, as set
7 forth in the Second Amended Complaint, shall be arbitrated pursuant to the terms of the arbitration
8 agreements signed by each plaintiff; and

9 12. WHEREAS, the parties agree that the arbitrator shall determine the venue of the
10 arbitration.

11 THEREFORE, Plaintiffs and Defendants hereby stipulate that all of Plaintiffs claims against
12 Defendants, as set forth in the Second Amended Complaint, shall be arbitrated pursuant to the terms
13 of the arbitration agreements signed by each plaintiff and that the arbitrator shall determine the
14 venue of the arbitration. A proposed order is attached hereto.

15 IT IS SO STIPULATED.

16
17 Dated: June 22, 2011

SIDLEY AUSTIN LLP

18
19 By: /s/ Geoffrey D. DeBoskey
20 Geoffrey D. DeBoskey
21 Heidi Larson Howell
22 Attorneys for Defendants
23 TACAZA, INC. dba FAMOUS
24 DAVE'S, TACAZA II, INC. dba FAMOUS
25 DAVE'S, ANAND D. GALA,
26 and JONATHAN LITT

27 ///

28 ///

///

1 Dated: June 22, 2011

JONES HELSLEY PC and

2 FITZPATRICK, SPINI & SWANSTON

3
4 By: /s/ Patrick D. Toole

5 B. James Fitzpatrick

6 Patrick D. Toole

7 Attorneys for Plaintiffs

MARCUS T. AREYANO, FRANK W.

8 BARTLETT, GUADALUPE GONZALEZ,

MARY PEARL RIVERA, BRIAN RIGGINS,

9 JUDD ROGERS, DARREN CAMPBELL,

10 VINCENT CLINE, and RICHARD WILDT

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IT IS SO ORDERED.

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE