

Geoffrey D. DeBoskey, SBN 211557
gdeboskey@sidley.com
Heidi Larson Howell, SBN 254600
hhowell@sidley.com
SIDLEY AUSTIN LLP
555 West Fifth Street, Suite 4000
Los Angeles, California 90013

Attorneys for Defendants
TACAZA, INC. dba FAMOUS DAVE'S,
TACAZA II, INC. dba FAMOUS DAVE'S,
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;) Case No. 1:11CV00171 LJO DLB
FRANK W. BARTLETT, an individual;)
GUADALUPE GONZALEZ, an individual;) **STIPULATION TO SUBMIT CLAIMS TO**
MARY PEARL RIVERA, an individual;) **ARBITRATION; ORDER**
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.)

1 B. James Fitzpatrick, SBN 129056
bjfitzpatrick@fandslegal.com
2 FITZPATRICK, SPINI & SWANSTON
838 South Main Street, Suite E
3 Salina, California 93901

4 Patrick D. Toole, SBN 190118
ptoole@joneshelsley.com
5 JONES HELSLEY PC
265 E. River Park Circle, Suite 310
6 Fresno, California 93720

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

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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.

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17 Dated: June 22, 2011

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19 SIDLEY AUSTIN LLP

20 By: /s/ Geoffrey D. DeBoskey

21 Geoffrey D. DeBoskey
22 Heidi Larson Howell
23 Attorneys for Defendants
24 TACAZA, INC. dba FAMOUS
25 DAVE'S, TACAZA II, INC. dba FAMOUS
26 DAVE'S, ANAND D. GALA,
27 and JONATHAN LITT

28 ///

29 ///

30 ///

1 Dated: June 22, 2011

JONES HELSLEY PC and

2 FITZPATRICK, SPINI & SWANSTON

3

4 By: /s/ Patrick D. Toole

5 B. James Fitzpatrick

Patrick D. Toole

6 Attorneys for Plaintiffs

7 MARCUS T. AREYANO, FRANK W.

8 BARTLETT, GUADALUPE GONZALEZ,

MARY PEARL RIVERA, BRIAN RIGGINS,

JUDD ROGERS, DARREN CAMPBELL,

VINCENT CLINE, and RICHARD WILDT

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ORDER

Pursuant to the parties' stipulation, and for good cause shown, it is hereby ordered that all of Plaintiffs claims against Defendants, as set forth in the Second Amended Complaint, shall be arbitrated pursuant to the terms of the arbitration agreements signed by each plaintiff.

IT IS SO ORDERED.

Dated: June 23, 2011

/s/ Dennis L. Beck

UNITED STATES MAGISTRATE JUDGE