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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**
11 **FRESNO DIVISION**

12 ROY TAYLOR, an individual,

13 Plaintiff,

14 v.

15 FEDEX FREIGHT, INC., an Arkansas
16 Corporation, and DOES 1 through 25,
17 inclusive,

18 Defendants.

Case No.: 1:16-CV-00438-BAM

**STIPULATION AND ORDER TO DISMISS
PLAINTIFF'S FOURTH CAUSE OF ACTION
FOR RACIAL DISCRIMINATION IN
VIOLATION OF FEHA**

Judge: Hon. Barbara A. McAuliffe

Complaint Filed: March 29, 2016

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22 Plaintiff ROY D. TAYLOR and Defendant FEDEX FREIGHT, INC., submit this
23 Stipulation and Order to dismiss the Fourth Cause of Action in Plaintiff's Complaint alleging
24 racial discrimination in violation of California's Fair Employment and Housing Act, pursuant to
25 Federal Rules of Civil Procedure, Rule 41(a)(1)(ii), stipulating as follows:
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1. On March 29, 2016, Plaintiff filed his complaint in the California Eastern District Federal Court alleging a total of four (4) causes of action against Defendant FEDEX FREIGHT, INC.
2. The parties having completed non-expert discovery, and having met-and-conferred on issues surrounding Defendant’s motion for summary judgment, have stipulated to the dismissal of the fourth cause of action in Plaintiff’s complaint alleging racial discrimination in violation of California’s Fair Employment and Housing Act.

Dated: July 14, 2017

Respectfully submitted,

THE ASHWORTH LAW OFFICE

/s/ James C. Ashworth
JAMES C. ASHWORTH
Attorney for Plaintiff
ROY D. TAYLOR

Dated: July 14, 2017

Respectfully submitted,

LANG, RICHERT & PATCH

/s/ Charles Trudrung Taylor
CHARLES TRUDRUNG TAYLOR
Attorney for Defendant
FEDEX FREIGHT, INC.

ORDER

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Based upon the foregoing, the Court ORDERS:

1. The request to dismiss the Fourth Cause of Action in Plaintiff’s Complaint for racial discrimination in violation of California’s Fair Employment and Housing Act is hereby GRANTED.

IT IS SO ORDERED.

Dated: July 24, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE