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Attorneys for Defendant
SHC SERVICES, INC.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DEIRDRE DUNN, on behalf of herself and others similarly situated,

Plaintiff,

v.

SHC SERVICES, INC., a Delaware Corporation; and DOES 1-20, inclusive,

Defendants.

Case No. 1:21-cv-00744-NONE-SAB

JOINT STIPULATION TO REMAND ACTION TO STATE COURT; [~~PROPOSED~~] ORDER

Complaint filed: March 30, 2021

Pursuant to Civil Local Rule 143, Plaintiff Deirdre Dunn ("Plaintiff") and Defendant SHC Services, Inc. ("Defendant") (collectively, the "Parties"), by and through their counsel of record, hereby stipulate to remand the above-entitled action to the Superior Court of the State of California for the County of Fresno as *Deirdre Dunn v. SHC Services, Inc.*, Case No. 21CECG00896, in light of the Parties' agreement to settle this Action ("Stipulation"). In support of their Stipulation, the Parties state:

1. Plaintiff originally filed her complaint on March 30, 2021 in the Fresno County Superior Court entitled *Deirdre Dunn v. SHC Services, Inc.*, Case No. 21CECG00896.
2. Om May 6, 2021, Defendant removed the case to this Court (ECF No. 1) and filed its answer to the complaint on May 13, 2021. (ECF No. 6.)
3. On May 17, 2021, Plaintiff filed a motion to remand the case back to state court. (ECF No. 7.)
4. On May 28, 2021, Defendant filed its opposition to the motion to remand. (ECF No. 15.)
5. On June 7, 2021, Plaintiff filed her reply in support of the motion to remand. (ECF No. 16.)
6. On October 27, 2021, a hearing on the motion to remand was held where both parties presented oral argument to the Honorable Magistrate Judge Stanley A. Boone.
7. On November 4, 2021, Magistrate Judge Boone issued Findings and Recommendations Recommending Granting Plaintiff's Remand Motion and Remanding Action to State Court ("Findings and Recommendations"). (ECF No. 21.)
8. Per the Findings and Recommendations, Defendant was permitted fourteen (14) days to file and serve any objections it may have to the Findings and Recommendations. (ECF No. 21.) Defendant's deadline to file and serve any

such objections is therefore November 18, 2021.

9. On November 9, 2021, the Parties attended a private mediation before experienced mediator Hon. Carl J. West (Ret.) and reached a settlement of all claims in this Action. The Parties subsequently executed a memorandum of understanding ("MOU") on November 12, 2021, and are in the process of preparing a long-form stipulation of settlement.

10. Pursuant to the MOU, the Parties submit this Stipulation to remand this Action to state court for the purposes of settlement only.

11. In the event the settlement does not become final for any reason, this Stipulation will be void *ab initio* and Defendant will have the right to file and serve objections to the Findings and Recommendations and to further contest whether remand of this Action is appropriate through such objections.

12. The Proposed Order Remanding Action to State Court is contained herein below.

Dated: November 18, 2021 WINSTON & STRAWN LLP

By: /s/ *Tristan R. Kirk*
Michael P. Roche (admitted *pro hac vice*)
Benjamin M. Ostrander (admitted *pro hac vice*)
Tristan R. Kirk
Attorneys for Defendant
SHC SERVICES, INC.

Dated: November 18, 2021 SHAKOURI LAW FIRM

By: /s/ *Ashkan Shakouri* (as authorized on November 17, 2021)
Ashkan Shakouri
Sharon W. Lin
Attorneys for Plaintiff
DEIRDRE DUNN

~~[PROPOSED]~~ ORDER

Pursuant to the joint stipulation to remand the above-captioned action to state court, and for good cause shown, the above-captioned action is remanded to the Superior Court of the State of California for the County of Fresno as *Deirdre Dunn v. SHC Services, Inc.,* Case No. 21CECG00896, in light of the Parties' agreement to settle this action.

In the event the settlement does not become final for any reason, this stipulation and order will be void *ab initio* and defendant will have the right to file and serve objections to the findings and recommendations and to further contest whether remand of this action is appropriate through such objections. Any such objections must be filed within fourteen (14) days of the date on which the parties agree that the settlement is no longer viable and will not be finalized such that the parties will resume litigation of this action.

IT IS SO ORDERED.

Dated: **November 18, 2021**

Dale A. Drozd
UNITED STATES DISTRICT JUDGE