

**P O R T E R | S C O T T**

A PROFESSIONAL CORPORATION

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Attorneys for Defendants

DISTILLERY, RONALD ALVERNAZ, and JAMES DUNPHY, JR.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JEAN RIKER,

Case No. 2:08-CV-00450-MCE-JFM

Plaintiff,

**STIPULATION AND ORDER**

v.

DISTILLERY; RONALD ALVERNAZ;  
JAMES DUNPHY, JR.; JAMES DUNPHY,  
SR., and DOES 1 through 50, Inclusive,

Defendants.

\_\_\_\_\_ /

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff JEAN RIKER, and Defendants DISTILLERY, RONALD ALVERNAZ, and JAMES DUNPHY, JR., by and through the undersigned, that Paragraph Q of Section V of the Consent Decree in this matter, signed by the parties on April 28, 2009 and ordered by this Court on July 29, 2009, is to be stricken. The parties agree that Paragraph Q of Section V contradicts with Paragraph A of Section V and was not intended to be included in the final, executed version of the Consent Decree.

The parties further agree that the text of Paragraph R of Section V of the Consent Decree in

this matter is to be stricken and replaced with the following text: "Remove the paper towel dispenser located directly above the sink in the men's public restroom. On the same sink-side wall only, add mirror on top of the existing tile, including surrounding the soap dispenser, and extending from the base of the existing mirror on the wall, down to the top of the sink's surface, and down around the side edges of the sink to the height of 40" from the floor. Except for the paper towel dispenser, no other fixtures are to be removed from the men's restroom."

Dated: April 22, 2010

THIMESCH LAW OFFICES

By \_\_\_\_\_ /s/ \_\_\_\_\_

Timothy S. Thimesch  
Attorneys for Plaintiff

Dated: April 22, 2010

PORTER SCOTT  
A PROFESSIONAL CORPORATION


By \_\_\_\_\_ /s/ \_\_\_\_\_

Jennifer E. Duggan  
Attorneys for Defendants

**ORDER**

IT IS SO ORDERED.

Dated: April 26, 2010

  
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MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE