

Attorneys for Defendants
MORGAN STANLEY SMITH BARNEY LLC,
CITIGROUP GLOBAL MARKETS INC. f/k/a SMITH BARNEY
CITIGROUP GLOBAL MARKETS HOLDINGS, INC.

ERIC B. BATES, on behalf of himself, all others similarly situated, the general public, and as an “aggrieved employee” under the California Labor Code Private Attorneys General Act,)))))	Case No. CIV S-09-03049 FCD-GGH STIPULATION AND ORDER RE: DISMISSAL OF CASE
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vs.

Defendants.

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1 **STIPULATION**

2 1. Pursuant to Federal Rule of Civil Procedure 41(a), the parties hereby
3 stipulate to the dismissal of all causes of action set forth in the First Amended
4 Complaint.

5 2. The dismissal referenced herein shall be with prejudice as to Plaintiff
6 Eric Bates and shall be without prejudice as to the putative class members.

7
8 DATED: February 22, 2011

LAW OFFICES OF SCOT D. BERNSTEIN
LAW OFFICES OF WILLIAM P.
TORNGREN

10
11 /s/ William P. Torngren
WILLIAM P. TORNGREN
12 Attorneys for Plaintiff ERIC B. BATES

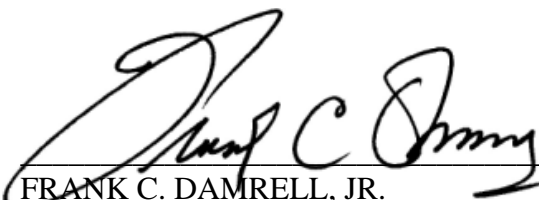
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14 DATED: February 22, 2011

/s/ Nathan R. Jaskowiak
LISA M. BERTAIN
JULIE L. TAYLOR
NATHAN R. JASKOWIAK
KEESAL, YOUNG & LOGAN
Attorneys for Defendants
MORGAN STANLEY SMITH BARNEY LLC,
CITIGROUP GLOBAL MARKETS INC. f/k/a
SMITH BARNEY. CITIGROUP GLOBAL
MARKETS HOLDINGS, INC.

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20 **ORDER**

21 Pursuant to the stipulation of the parties, Plaintiff Eric Bates' claims for
22 relief are dismissed with prejudice and the putative class members' claims are dismissed
23 without prejudice.

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25 DATED: February 23, 2011

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FRANK C. DAMRELL, JR.
27 UNITED STATES DISTRICT JUDGE
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