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12 **UNITED STATES DISTRICT COURT**
 13 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

14	JOYCE TUHN,)	Case No. 2:11-CV-00544-JAM-CKD
)	
15	Plaintiff,)	STIPULATION TO DISMISSAL OF
)	ACTION AND ORDER
16	vs.)	
)	
17	HERRICK & CO., INC.; HERRICK)	Action Filed: January 18, 2011
18	CORPORATION dba STOCKTON STEEL;)	Trial Date: October 22, 2012
19	JOHN FITZHUGH, and DOES 1-25,)	
)	
20	Defendants.)	
)	

1 Pursuant to Rule 41(a)(1)(A)(ii), of the Federal Rules of Civil Procedure, Plaintiff Joyce
2 Tuhn (referred to as "Plaintiff") and Defendants Herrick Corporation dba Stockton Steel and
3 John Fitzhugh (collectively referred to as "Defendants") acting by and through their attorneys of
4 record, hereby stipulate as follows:

5 1. Plaintiff commenced this action on January 18, 2011 by filing her Complaint for
6 Damages in the Stockton County Superior Court. Said Complaint for Damages alleged the
7 following claims: 1) Violation of Title VII of the Civil Rights Act of 1964 as amended; and 2)
8 Violation of the California Fair Employment and Housing Act ("FEHA"). Defendants
9 subsequently removed Plaintiff's Complaint to this Court on February 25, 2011 – Federal Case
10 No. 2:11-CV-00544-AM CKD (referred to as "the Action").

11 2. Plaintiff and Defendants have now reached a resolution of Plaintiff's pending
12 Action in this Court.

13 3. Based on that resolution, the Parties stipulate that the Action and claims asserted
14 by Plaintiff be dismissed with prejudice, and that each side bears its own costs and attorneys'
15 fees.

16 SO STIPULATED.

17
18 DATED: _____

19
20 By: _____
21 Michael Babitzke
22 Attorney for Plaintiff

23 DATED: _____

24 By: _____
25 Howard L. Magee
26 Attorneys for Defendants
27 Herrick Corporation dba Stockton Steel and John
28 Fitzhugh

ORDER

FOR GOOD CAUSE SHOWN, and pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, it is hereby ORDERED:

1. Plaintiff Joyce Tuhn’s Action (Federal Case No. 2:11-CV-00544-JAM-CKD) and all claims contained therein are hereby dismissed with prejudice, with each party to bear their own costs and attorneys’ fees as to all claims dismissed herein.

IT IS SO ORDERED.

DATED: June 12, 2012

/s/ John A. Mendez
JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE