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15	UNITED STATES DISTRICT COURT		
16	EASTERN DISTRICT OF CALIFORNIA		
17	JEANNETTE RODRIGUEZ,	Case No. 2:14-cv-02553-TLN-EFB	
18	Plaintiff,	JOINT STIPULATION AND ORDER FOR FINAL AND BINDING ARBITRATION	
19	v.	FINAL AND BINDING ARBITRATION	
20	SEARS, ROEBUCK AND CO.; and DOES 1-20, inclusive,		
21	Defendants.		
22	Defendants.		
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28			
	Case No. 2:14-cv-02553-TLN-EFB		
	JOINT STIPULATION AND ORDER FOR FINAL AND BINDING ARBITRATION		

IT IS HEREBY STIPULATED by and between Plaintiff Jeannette Rodriguez and Defendant Sears, Roebuck and Co. (collectively, the "Parties"), through their attorneys of record:

WHEREAS, the Complaint in this matter was filed on September 30, 2014, in the Superior Court of the County of San Joaquin, Case No. 39-2014-00316668-CU-OE-STK, alleging claims of (1) California Labor Code Retaliation; (2) Failure to Pay Minimum Overtime Wages; (3) Failure to Provide Meal and Rest Breaks; (4) Waiting Time Penalties; (5) Failure to Provide Accurate Wage Statements; (6) Disability Discrimination in Violation of the California Fair Employment and Housing Act (FEHA); (7) Failure to Accommodate; (8) Failure to Engage in the Interactive Process; (9) FEHA Retaliation; (10) the California Family Rights Act (CFRA) Interference; (11) CFRA Retaliation; (12) Wrongful Termination in Violation of Public Policy; and (13) Defamation; (14) Unfair Business Practice in violation of Business And Professions Code §17200; (15) Penalties pursuant to the Private Attorney General Act (PAGA); (16) Failure to Produce Records; and (17) Negligent Training (the "Claims");

WHEREAS, on October 31, 2014, Defendant Sears, Roebuck and Co. removed this matter to the U.S. District Court for the Eastern District of California, Case No. 2:14-cv-02553;

WHEREAS, the Parties now agree to submit the Claims, as set forth in Case No. 2:14-cv-02553, to final and binding individual arbitration through Judicial Arbitration and Mediation Services (JAMS); and

WHEREAS, the Parties agree that the JAMS arbitrator shall have the authority to adjudicate Plaintiff's individual claim for penalties under PAGA

IT IS HEREBY STIPULATED AND AGREED:

- 1. The Claims set forth in Case No. 2:14-cv-02553 shall be submitted to final and binding arbitration in accordance with the terms of the Arbitration Policy/Agreement and "JAMS Employment Arbitration Rules & Procedures effective July 15, 2009";
- 2. All matters in Case No. 2:14-cv-02553 shall be stayed in this Court pending arbitration;

1	3. This Court will retain jurisdiction for the sole purpose of entering the final	
	J 1 1	
2	judgment on the arbitration proceedings, as necessary; and	
3	4. The Parties agreed that Plaintiff's Complaint pending in the USDC EDCA	
4	shall constitute Plaintiff's written demand for arbitration to JAMS pursuant to "JAMS Employment	
5	Arbitration Rules & Procedures effective July 15, 2009," shall be deemed to have been submitted to	
6	Defendant as of November 26, 2014, and Defendant will timely respond thereto.	
7	Dated: December 4, 2014	
8		
9	//D : M D	
10	/s/ Dennis M. Brown DENNIS M. BROWN	
11	NEDA N. DAL CIELO ANNE SWEENEY JORDAN	
12	LITTLER MENDELSON, P.C. Attorneys for Defendant	
13	SEARS, ROEBUCK AND CO. Dated: December 4, 2014	
14		
15	/s/ Cary Kletter	
16	CARY KLETTER SALLY TRUNG NGUYEN	
17	KLETTER LAW FIRM LLP Attorneys for Plaintiff	
18	JEANNETTE RODRIGUEZ	
19		
20	ODDED	
21	ORDER IT IS SO ORDERED.	
22	II IS SO ORDERED.	
	Dated: December 11, 2014	
23		
24	My - thinkly	
25	Troy L. Nunley	
26	United States District Judge	
27		
28	3. Case No. 2:14-cv-02553-TLN-EFB	
	J. Case 110, 2.17-07-02555-1ER-EFB	

JOINT STIPULATION AND ORDER FOR FINAL AND BINDING ARBITRATION