

1 *ROMAN OTKUPMAN, CA Bar No. 249423*  
 2 *roman@olfla.com*  
 3 OTKUPMAN LAW FIRM,  
 4 A LAW CORPORATION  
 5 5950 Canoga Ave., Suite 550  
 6 Woodland Hills, CA 91367  
 7 Telephone: 818.293.5623  
 8 Facsimile: 888.850.1310

Attorneys for Plaintiff Pakiza A. Ali

9 *ROBERT G. HULTENG, CA Bar No. 071293*  
 10 *rhulteng@littler.com*  
 11 LITTLER MENDELSON, P.C.  
 12 650 California Street, 20th Floor  
 13 San Francisco, CA 94108.2693  
 14 Telephone: 415.433.1940  
 15 Facsimile: 415.399.8490

16 *KELSEY E. PAPST, CA Bar No. 270547*  
 17 *kpapst@littler.com*  
 18 LITTLER MENDELSON, P.C.  
 19 500 Capitol Mall, Suite 2000  
 20 Sacramento, CA 95814  
 21 Telephone: 916.830.7200  
 22 Facsimile: 916.561.0828

Attorneys for Defendant Rainbow USA, Inc.

23 **UNITED STATES DISTRICT COURT**  
 24 **EASTERN DISTRICT OF CALIFORNIA**

25 PAKIZA A. ALI, on behalf of herself and all  
 26 others similarly situated, and on behalf of the  
 27 general public,

Plaintiff,

vs.

28 RAINBOW USA INC. WHICH WILL DO  
 BUSINESS IN CALIFORNIA AS NEW  
 YORK RAINBOW USA INC., AND DOES 1  
 THROUGH 10, INCLUSIVE,

Defendants.

Case No. 2:15-CV-00418-JAM-CKD

**JOINT STIPULATION AND ORDER  
 TO REMAND REMOVED ACTION**

Case Removed: February 26, 2015  
 Trial Date: None Set  
 Judge: Hon. John A. Mendez

\_\_\_\_\_

1 Plaintiff PAKIZA A. ALI (“Plaintiff”) and Defendant RAINBOW USA INC.  
2 (“Defendant”) hereby stipulate and agree that the instant action be remanded to State  
3 Court as follows:

4 WHEREAS, on or around January 12, 2015, Plaintiff filed a Complaint in San  
5 Joaquin County Superior Court, Case No. 39-2015-00320655-CU-OE-STK.

6 WHEREAS, on or around February 19, 2015, Plaintiff filed a First Amended  
7 Complaint in State Court; and

8 WHEREAS, on or around February 23, 2015, Defendant removed the instant  
9 action to District Court; and

10 WHEREAS, the parties have settled this matter at an early mediation on April  
11 8, 2015; and

12 WHEREAS, on or around March 18, 2015, this Court entered an Order  
13 granting the parties’ stipulation to extend Plaintiff’s deadline to file a Motion to  
14 Remand to April 24, 2015; and

15 WHEREAS, after extensive negotiations and discussions about this case, the  
16 parties agree to remand the case to State Court for further proceedings.

17 THEREFORE, the Parties to the above-captioned matter hereby stipulate and  
18 agree as follows:

- 19 1. That the Parties’ stipulation is approved.
- 20 2. That the Eastern District of California Case No.: 2:15-CV-00418-JAM-  
21 CKD labeled *Pakiza A. Ali v. Rainbow USA Inc. Which Will Do*  
22 *Business in California as New York Rainbow USA Inc., et al.* is hereby  
23 remanded to Superior Court of the State of California, San Joaquin  
24 County, Case No.: 39-2015-00320655-CU-OE-STK.

25  
26  
27  
28

1 IT IS SO STIPULATED ON THE DATES INDICATED BELOW.

2

3

4 DATED: April 13, 2015

5

By: /s/ Roman Otkupman

6

Roman Otkupman,  
OTKUPMAN LAW FIRM, A LAW  
CORPORATION;  
Attorney for Plaintiff Pakiza A. Ali

7

8

9

10 DATED: April 13, 2015

LITTLER MENDELSON, P.C.

11

12

By: /s/ Kelsey E. Papst

13

Kelsey E. Papst  
LITTLER MENDELSON, P.C.  
Attorneys for Defendant Rainbow USA  
Inc.

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Good cause appearing, and pursuant to the stipulation of the parties, IT IS  
HEREBY ORDERED that:

1. That the Parties' stipulation is approved.
2. That the Eastern District of California Case No.: 2:15-CV-00418-JAM-CKD labeled *Pakiza A. Ali v. Rainbow USA Inc. Which Will Do Business in California as New York Rainbow USA Inc., et al.* is hereby remanded to Superior Court of the State of California, San Joaquin County, Case No.: 39-2015-00320655-CU-OE-STK.

DATED: April 16, 2015

/s/ John A. Mendez

The Hon. John A. Mendez