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13 UNITED STATES DISTRICT COURT

14 EASTERN DISTRICT OF CALIFORNIA

15 BETTY L. RAVEL, an individual,

16 Plaintiff,

17 v.

18 HEWLETT-PACKARD ENTERPRISE,
INC., a Delaware corporation, and Does
19 1-100, Inclusive,

20 Defendants.

Case No. 2:16-CV-02610-WBS-DB

**JOINT STIPULATION FOR DISMISSAL
OF PLAINTIFF'S SIXTH CLAIM FOR
RELIEF FOR INTENTIONAL INFLICTION
OF EMOTIONAL DISTRESS AND TO
DISMISS ALL OF PLAINTIFF'S CLAIMS
FOR NON-ECONOMIC DAMAGES;
PROPOSED ORDER**

21 Complaint filed: September 21, 2016
22 Trial date: August 14, 2018

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28 Case No. 2:16-CV-02610-WBS-DB

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1 Plaintiff Betty L. Ravel (“Plaintiff”) and Defendant Hewlett Packard Enterprise
2 Company (incorrectly identified as Hewlett Packard Enterprise, Inc. in this lawsuit) (hereafter
3 “HPE”), (Plaintiff and HPE are collectively referred to as the “Parties”) through their respective
4 attorneys of record in this lawsuit, stipulate as follows:

5 1. Plaintiff’s Complaint contains a claim for relief for Intentional Infliction of
6 Emotional Distress (“IIED”).

7 2. Through her IIED claim and her other claims for relief in her Complaint,
8 Plaintiff seeks economic and non-economic damages including, but not limited to non-economic
9 damages for alleged emotional distress, against HPE in this action.

10 3. Plaintiff identified her husband, Scott Ravel, as a witness who is likely to have
11 discoverable information regarding her claims against HPE and who she may use to support her
12 claims in this lawsuit.

13 4. HPE noticed the deposition of Scott Ravel and properly served him with a
14 deposition subpoena commanding his appearance and testimony.

15 5. In exchange for HPE agreeing to take Scott Ravel’s deposition off calendar
16 and not noticing his deposition in the future or calling him as a witness at trial, Plaintiff has agreed:
17 (1) to withdraw Scott Ravel as a witness in this lawsuit; (2) to not call Scott Ravel as a witness, or
18 directly or indirectly solicit any testimony whatsoever from him at the trial in this lawsuit; (3)
19 dismiss her IIED claim for relief with prejudice; (4) dismiss all of her claims for all non-economic
20 relief, including but not limited to any and all claims for damages for alleged emotional distress
21 (including any alleged garden variety emotional distress or otherwise) with prejudice and waive any
22 right to seek such damages in this lawsuit; (5) only seek damages for her alleged economic loss in
23 this lawsuit; and (6) not present or attempt to present any evidence, including any documentary or
24 testimonial evidence, of any alleged non-economic injury or damages at the trial in this matter,
25 including, but not limited to any evidence of any alleged emotional distress.

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ORDER GRANTING STIPULATION

Pursuant to the stipulation of Plaintiff Betty L. Ravel (“Plaintiff”) and Hewlett Packard Enterprise Company (“HPE”), the Court Orders as follows:

- 1. HPE’s deposition of Scott Ravel shall be taken off calendar and shall not be renoticed.
- 2. Plaintiff shall withdraw Scott Ravel as a witness in this lawsuit and shall not call him as a witness at the trial in this lawsuit and shall not present, attempt to present, or rely on any testimony or other evidence by Scott Ravel in any pre-trial proceedings or at the trial in this lawsuit.
- 3. HPE shall not call Scott Ravel as a witness at the trial in this lawsuit.
- 4. Plaintiff’s IIED claim for relief shall be dismissed with prejudice.
- 5. Plaintiff’s claims for alleged non-economic damages/recovery of non-economic relief shall be dismissed from the lawsuit and Plaintiff shall not seek recovery of any non-economic relief in this lawsuit. Plaintiff’s recovery in this action, if any, shall be limited to proven economic loss.
- 6. Plaintiff shall not present or attempt to present any evidence, including any documentary or testimonial evidence, of any alleged non-economic injury or damages in any pre-trial proceedings or at the trial in this matter, including, but not limited to any evidence of any alleged emotional distress.

IT IS SO ORDERED.

Dated: February 6, 2018



 WILLIAM B. SHUBB
 UNITED STATES DISTRICT JUDGE

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