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10 Attorneys for Defendants INTERSTATE HOTELS, L.L.C.;
HMC ACQUISITION PROPERTIES, INC.; JOHN
11 TROVATO; AND PENNY RICHARDSON

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 EQUAL EMPLOYMENT COMMISSION
16 and RAUL TOMAS GUTIERREZ,

17 Plaintiffs,

18 v.

19 INTERSTATE HOTELS, L.L.C.; HMC
20 ACQUISITION PROPERTIES, INC., dba
SAN FRANCISCO MARRIOTT AT
21 FISHERMAN'S WHARF; JOHN
TROVATO; and PENNY RICHARDSON,

22 Defendants.
23

Case No. C 04-4092 WHA

**STIPULATION AND ~~PROPOSED~~ ORDER
FOR DISMISSAL OF INTERVENOR**

Hon. William H. Alsup

24 IT IS HEREBY STIPULATED, by and between Plaintiff-Intervenor Raul Gutierrez
25 and Defendants, through their respective counsel and subject to Court approval, to the following:

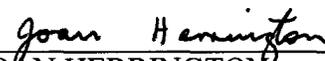
26 1. Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff-
27 Intervenor Gutierrez dismisses with prejudice all claims he has asserted in the action, with all sides
28

1 to bear their respective attorneys' fees and costs, subject to any conflicting terms and conditions in
2 the Consent Decree entered by the Court.

3
4 Dated: Nov. 22, 2005


MICHAEL HOFFMAN
LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendants

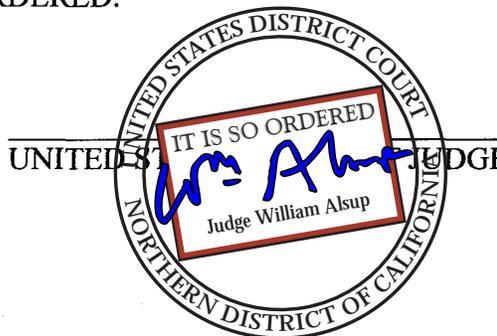
8 Dated: 11/18, 2005


JOAN HERRINGTON
BAY AREA EMPLOYMENT LAW OFFICE
Attorney for Plaintiff
RAUL T. GUTIERREZ

14 **ORDER**

15 Pursuant to Stipulation, IT IS SO ORDERED.

17 Dated: November 25, 2005



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