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11 *Attorneys for Defendant*
 12 TRUEPOSITION, INC.

13
 14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
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17 VERSIL MILTON, CHRIS BEAGLE,
 18 ANDREW LORRICK, JAMIEL
 JAMIESON, ED ZELTMAN, AND JON
 19 HOLIDAY,

20 Plaintiffs,

21 v.

22 TRUEPOSITION, INC.,

23 Defendant.
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CASE NO. C08-03616 SI

**JOINT STIPULATION OF DISMISSAL
 WITH PREJUDICE PURSUANT TO
 FED. R .CIV. P. 41(a) AND [PROPOSED]
 ORDER THEREON**

1 Plaintiffs Versil Milton, Chris Beagle, Andrew Lorrick, Jamiel Jamieson, Ed Zeltman, Jon
2 Holiday, Bobbie Dalton, and David Hartley (“Plaintiffs”) and Defendant TruePosition, Inc.
3 (“Defendant”), by and through their undersigned counsel and pursuant to Federal Rule of Civil
4 Procedure 41(a), hereby stipulate and agree that:

5 Plaintiffs filed their First Amended Complaint on May 7, 2010 (Case No. C08-03616) (the
6 “Action”). This is an individual action for alleged unpaid overtime wages under the Fair Labor
7 Standards Act of 1938, as amended (“FLSA”), 29 U.S.C. § 201 *et seq.*, and for recovery of other
8 wages and payments allegedly due under the California Labor Code. Plaintiffs asserted they are
9 owed wages for meal and rest breaks and unpaid straight time and overtime work, arising out of
10 work assignments performed for the Defendant. Defendant denied, and continues to deny, that it
11 employed Plaintiffs at all, or that it was otherwise liable to Plaintiffs. The parties have reached a
12 resolution of this matter and entered into a confidential Settlement Agreement, which the parties
13 have agreed to present to this Court for *in camera* review and approval.

14 After extensive arms length negotiations, including a day long mediation conducted by a
15 mediator who is a member of this Court’s mediator panel, the Parties believe that the Settlement
16 Agreement reflects a fair and reasonable resolution of Plaintiffs’ claims. Accordingly, the Parties
17 jointly request that the Court approve their settlement and dismiss this case with prejudice
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1 in its entirety, in accordance with the terms of the Agreement, by entry of this joint stipulation.
2 Dated: July 1, 2010
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9 Dated: July 1, 2010
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Respectfully Submitted:

PLAINTIFFS
By their attorneys,

LAW OFFICES OF JARED E. PETERSON

By: /s/ Jared E. Peterson
Jared E. Peterson

Defendant TRUEPOSITION, INC.
By its attorneys,

MORGAN, LEWIS & BOCKIUS, LLP

By: /s/ Rebecca Eisen
Rebecca Eisen

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ORDER

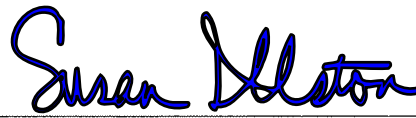
On stipulation of the parties, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1) The Court approves the individual settlement of this Action in its entirety, including the dismissal of claims made under the Fair Labor Standards Act, which are deemed to be a fair and reasonable settlement of Plaintiffs' claims.

2) Plaintiffs' First Amended Complaint filed on May 7, 2010 (Case No. C08-03616) is hereby dismissed with prejudice in its entirety.

Dated: July ____, 2010



Hon. Susan Illston
United States District Court Judge