

DAN SIEGEL, SBN 56400  
DEAN ROYER, SBN 233292  
SIEGEL & YEE  
499 14<sup>th</sup> Street, Suite 220  
Oakland, CA 94612  
Telephone: 510.839.1200  
Facsimile: 510.444.6698  
Email: [deanroyer@siegelyee.com](mailto:deanroyer@siegelyee.com)

Attorneys for Plaintiff  
DONNIE COX

ROBERT L. ZALETEL, Bar No. 096262  
LITTLER MENDELSON  
A Professional Corporation  
650 California Street, 20th Floor  
San Francisco, CA 94108.2693  
Telephone: 415.433.1940  
Email: [rzaletel@littler.com](mailto:rzaletel@littler.com)

LEE HUTTON, Ohio Bar No. 0006794  
LITTLER MENDELSON  
A Professional Corporation  
1100 Superior Avenue, 20th Floor  
Cleveland, OH 44114  
Telephone: 216.696.7600  
Email: [lhutton@littler.com](mailto:lhutton@littler.com)  
(Admitted *Pro Hac Vice*)

Attorneys for Defendant  
ELECTRONIC DATA SYSTEMS L.L.C.,  
formerly known as ELECTRONIC DATA  
SYSTEMS CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DONNIE COX,

Plaintiff,

v.

ELECTRONIC DATA SYSTEMS  
CORPORATION; and DOES 1 through  
10, inclusive,

Defendants.

Case No. CV 08 3927 WHA

**STIPULATION AND ~~PROPOSED~~  
ORDER FOR DISMISSAL OF THIRD  
CAUSE OF ACTION OF THE FIRST  
AMENDED COMPLAINT AND  
PARAGRAPH 47 OF THE SEVENTH  
CAUSE OF ACTION  
(Fed. R. Civ. P. 41(a)(1))**

1 WHEREAS, the Parties have reached a partial settlement of the case with respect to  
2 the claims that Plaintiff was not paid appropriate sums in his final paycheck in a timely manner  
3 under California Labor Code §§ 201, 203; and

4 WHEREAS, the Parties wish to simplify the issues in this case through a partial  
5 settlement; and

6 WHEREAS, as part of the settlement Plaintiff has agreed to dismiss the Third Cause  
7 of Action of the First Amended Complaint (Late Payment of Wages, Labor Code § 201) and  
8 paragraph 47 of the Seventh Cause of Action for Unfair Business Practices (incorporating the  
9 allegations of the Third Cause of Action) with prejudice, with each side to bear its own attorneys'  
10 fees and costs associated only with those claims.

11 WHEREFORE, the Parties hereby stipulate to the dismissal of the Third Cause of  
12 Action of the First Amended Complaint and paragraph 47 of the Seventh Cause of Action with  
13 prejudice, with each side to bear its own attorneys' fees and costs associated only with those claims.

14 SO STIPULATED.

15 Dated: March 26, 2009

16  
17 /s/ Dean Royer  
18 DEAN ROYER  
19 SIEGEL & YEE  
20 Attorneys for Plaintiff  
21 DONNIE COX

22 Dated: February \_\_\_\_\_, 2009

23 /s/ Robert L. Zaletel  
24 ROBERT L. ZALETEL  
25 LITTLER MENDELSON  
26 A Professional Corporation  
27 Attorneys for Defendant  
28 ELECTRONIC DATA SYSTEMS L.L.C.,  
formerly known as ELECTRONIC DATA  
SYSTEMS CORPORATION

26 ~~PROPOSED~~ ORDER

27 FOR GOOD CAUSE APPEARING:

28 Pursuant to the partial settlement of the case, the Third Cause of Action of the First

1 Amended Complaint and paragraph 47 of the Seventh Cause of Action of the First Amended  
2 Complaint are hereby dismissed with prejudice, with each side to bear its own attorneys' fees and  
3 costs associated only with those claims.

4  
5 Dated: April 1, 2009



6  
7 HON. WILLIAM ALSUP  
United States District Court Judge

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9  
10  
11 Firmwide:88603004.1 056073.1009