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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

STEPHANIE PRIDDY,

Plaintiff,

vs.

LANE BRYANT, INC., and DOES 1-100, inclusive

Defendant.

Case No. C 08-05377 (JL)

STIPULATION OF DISMISSAL WITH PREJUDICE

FRCP Rule 41(a)(1)(A)(ii)

Stephanie Priddy ("Plaintiff" or "Priddy") and Lane Bryant, Inc. ("Defendant") (Plaintiff and Defendant are together referred to hereinafter as the "Parties") hereby enter into this Stipulation of Dismissal with Prejudice of Plaintiff's entire Complaint and all claims stated therein.

WHEREAS, Priddy was employed with the Company from approximately April 21, 2008

through approximately June 2, 2008.

WHEREAS, on September 15, 2008, Priddy filed a putative class action complaint against Lane Bryant, Inc. in the Superior Court of California for the County of Los Angeles; on or around October 20, 2008, Defendant removed the action to the United States District Court for the Central District of California based upon diversity of citizenship; and on or around November 26, 2008, the case was transferred to the Northern District of California. Priddy's lawsuit alleged various claims for alleged failure to pay overtime, failure to provide meal and rest periods, failure to provide accurate wage statements, and other wage and non-wage related claims related to her employment with the Company (hereinafter the "Civil Action"). In addition to her individual claims, Priddy sought to maintain such claims on a class and representative action basis.

WHEREAS, on September 7, 2010, Defendant filed a Motion to Dismiss Plaintiff's class claims (Docket #50) for the reasons set forth in Defendant's Memorandum of Points and Authorities, namely that the vast majority of Plaintiff's class claims had been settled and released in the related *Moody v. Charming Shoppes* action (Case No. CV 07-6073) action and that Plaintiff was barred from seeking PAGA penalties for her remaining class claim for violation of California Labor Code section 212.

WHEREAS, the Court granted Defendant's Motion in an Order dated October 29, 2010 (Docket #55) and subsequently remanded the matter to state court for failure to meet the amount in controversy pursuant to the Class Action Fairness Act. Plaintiff sought reconsideration of this Order (Docket #56), which was granted in part and denied in part (Docket #63). The Court maintained that Plaintiff could proceed on only her individual claims, but the Court vacated its remand Order and retained jurisdiction over Plaintiff's individual claims.

WHEREAS, subsequently the Parties fully and finally settled and resolved all claims alleged in and related to the Civil Action and any and all outstanding claims, issues and disputes regarding or relating to Priddy's employment with the Company, including but not limited to the compensation she received from the Company and the termination of her employment.

WHEREAS, the Parties have executed a written Settlement Agreement and Release of Claims, pursuant to which each party shall bear its own respective costs and attorneys' fees.

For the reasons set forth above and pursuant to the Federal Rules of Civil Procedure, Rule 41(a)(1)(A)(ii), the Parties hereby jointly Stipulate to the dismissal with prejudice of this entire action and request that the Court terminate all proceedings in this action.

Dated: March 22, 2011

RIGHETTI GLUGOSKI, P.C.

By Michael Righetti /S/

Attorneys for Plaintiff
Stephanie Priddy

Dated: March 22, 2011

MORGAN, LEWIS & BOCKIUS LLP

By Eric Meckley /S/
Eric Meckley
Attorneys for Defendant
LANE BRYANT, INC.

SO ORDERED

JAMES LARSON
U.S. MAGISTRATE JUDGE