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10 Attorneys for Plaintiff,
 11 DANIEL FISHER

12 **UNITED STATES DISTRICT COURT**
 13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

)	
DANIEL FISHER)	Case No. 3:09-CV-0028 (EDL)
)	
Plaintiff,)	
)	STIPULATION AND
v.)	[PROPOSED] ORDER ON
)	DEFENDANTS' MOTION TO
WELLS FARGO & COMPANY, et al.)	STRIKE
)	
Defendants.)	
)	
)	

14 STIPULATION

15 1. Plaintiff filed a Complaint on January 6, 2009. In the Prayer for Relief, Plaintiff
 16 asked the Court to reinstate the Plaintiff to his former position, according to the terms set forth in
 17 the Secretary of Labor's Findings and Order, "and to comply in all respects with the Order,"
 18 pending issuance of a Final Order.

19 2. Defendants filed a Motion to Strike on January 27, 2009, asking the Court to
 20 strike the language that read, "and to comply in all respects with the Order."
 21

1 3. Defendants' Motion to Strike is specially set for hearing before this Court on
2 ~~Thursday, February 26, 2009.~~ April 14, 2009.

3 4. Subject to this Court's approval, Plaintiff and Defendants, through counsel,
4 stipulate that the words "and to comply in all respects with the Order" shall be stricken from the
5 Prayer for Relief.

6
7 5. Defendants reserve all rights and objections relating to Plaintiff's inclusion of this
8 language in his original prayer for relief, including, without limitation, any claim to, or offset of,
9 attorneys' fees and costs, and any other matter.

10 IT IS SO STIPULATED.

11 DATED: February 20, 2009

THE EMPLOYMENT LAW GROUP, PC

13 /S/

14 By _____
15 Jason M. Zuckerman
16 R. Scott Oswald
Attorneys for Plaintiff

17 DATED: February 20, 2009

REED SMITH LLP

19 /S/

20 By _____
21 Lisa M. Carvalho
22 Eric Wallis
23 Renee Feldman
Attorneys for Defendants

24 ORDER

25 IT IS SO ORDERED.

26 DATED: February 26, 2009

27 Hon. Elizabeth D. Laporte
28 United States District Court
Northern District of California

