

1 PETER M. HART (State Bar No. 198691)
 LAW OFFICES OF PETER M. HART
 2 13952 Bora Bora Way, F-320
 Marina Del Rey, CA 90292
 3 Telephone: (310) 478-5789
 Facsimile: (509) 561-6441
 4 hartpeter@msn.com

5 LARRY W. LEE (State Bar No. 228175)
 DIVERSITY LAW GROUP, A Professional Corporation
 6 444 S. Flower Street, Suite 1370
 Los Angeles, California 90071
 7 (213) 488-6555
 (213) 488-6554 facsimile
 8 lwlee@diversitylaw.com

9 KENNETH H. YOON (State Bar No. 198443)
 LAW OFFICES OF KENNETH H. YOON
 10 One Wilshire Blvd., Suite 2200
 Los Angeles, CA 90017
 11 (213) 612-0988
 (213) 947-1211 facsimile
 12 kyoonyoon@yoonyoon-law.com

13 Attorneys for Plaintiff
 Taina Napoto

14 **UNITED STATES DISTRICT COURT**

15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

16 TAINA NAPOTO, as an individual and on
 17 behalf of others similarly situated,

18 Plaintiff,

19 v.

20 DHL EXPRESS (USA), INC., an Ohio
 corporation; DHL GLOBAL CUSTOMER
 21 SOLUTIONS (USA), INC., an Ohio
 corporation; DHL INFORMATION
 22 SERVICES (AMERICAS), INC., an Ohio
 corporation; DHL SOLUTIONS (USA), INC.,
 23 an Ohio corporation and DOES 1 through 100,
 inclusive,

24 Defendants.

CASE NO.: 09-CV-01551 JSW

[PROPOSED] ORDER

ORDER

GOOD CAUSE APPEARING, IT IS ORDERED THAT:

1. Defendants DHL EXPRESS (USA), INC., DHL GLOBAL CUSTOMER SOLUTIONS (USA), INC., DHL INFORMATION SERVICES (AMERICAS), INC., and DHL SOLUTIONS (USA), INC. are dismissed without prejudice from the First Amended Complaint;

2. Plaintiffs and all Defendants shall bear their own costs and attorneys' fees in connection with the dismissal of Defendants DHL EXPRESS (USA), INC., DHL GLOBAL CUSTOMER SOLUTIONS (USA), INC., DHL INFORMATION SERVICES (AMERICAS), INC., and DHL SOLUTIONS (USA), INC.;

3. The Motion for Summary Judgment presently set for Friday, September 25, 2009 at 9:00 am is off-calendar without prejudice to Defendants refileing;

4. The discovery schedule set forth in this Court's ORDER CONVERTING IN PART MOTION TO DISMISS TO MOTION FOR SUMMARY JUDGMENT AND RESERVING RULING AND GRANTING IN PART REMAINDER OF MOTION TO DISMISS dated July 2, 2009, is vacated as moot.

IT IS SO ORDERED.

Dated: August 10, 2009



Jeffrey S. White
United States District Judge