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6 IN THE UNITED STATES DISTRICT COURT
7
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 ANNE MARIE LYON,

No. C 10-00884 WHA

11 Plaintiff,

12 v.

**ORDER REGARDING
STIPULATION FOR DISMISSAL**

13 W. W. GRAINGER, INC.,

14 Defendant.
15 _____/


16 The parties have stipulated to dismissal of this action. As this purports to be a class
17 action, however, any stipulated form of dismissal must be reviewed by the Court.

18 There is a discrepancy between the clause in the stipulation for dismissal that states,
19 “WHEREAS, the Parties have agreed that each side shall bear its own costs in this matter and
20 that no consideration has or will be provided to Plaintiff or Plaintiff’s counsel as any part of the
21 dismissal;” and the clause in the proposed notice to potential class members that states,
22 “Plaintiff has not and will not receive any monetary or other compensation of any kind
23 dismissing the action [sic].” Counsel for both sides must file a definitive statement under oath
24 specifying that no compensation has or will be provided in any form in connection with this
25 case. They must disavow any side payments or compensation of any type. A hearing may be
26 required in which case the Court may possibly require counsel to testify under oath. The parties
27 shall clarify who shall bear the cost of the notice and whether any reimbursement for the cost of
28 the notice is contemplated. Counsel shall provide the Court with all agreements between the
parties related to this case. These responses are due on **JANUARY 10, 2011, AT NOON.**

1 In all events the notice shall not contain the section allowing potential class members to
2 object to the stipulated dismissal.

3 **IT IS SO ORDERED.**

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5 Dated: January 3, 2011.

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8 WILLIAM ALSUP
9 UNITED STATES DISTRICT JUDGE
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