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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ABRAM BADALYAN, as an individual
and on behalf of all others similarly
situated,

Plaintiff,

vs.

SODEXO, INC., a corporation; SODEXO
LAUNDRY SERVICES, INC., a
corporation; SODEXO AMERICA, LLC, a
limited liability company; SODEXO
VENDING SERVICES, LLC, a limited
liability company, and DOES 1 through 50,
inclusive,

Defendants.

No. 3:10-cv-03558-RS

**STIPULATION TO DISMISSAL OF ACTION
AND ~~PROPOSED~~ ORDER**

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Attorneys for Defendants
Sodexo, Inc., Sodexo Laundry Services, Inc.,
Sodexo America, LLC, and Sodexo Vending Services, LLC

1 Pursuant to Rule 41(a)(1)(A)(ii), Federal Rules of Civil Procedure, plaintiff Abram Badalyan and
2 defendants Sodexo, Inc., Sodexo Laundry Services, Inc., Sodexo America, LLC, and Sodexo Vending
3 Services, LLC, acting by and through their attorneys of record, hereby stipulate as follows:

4 1. Plaintiff commenced this putative wage-and-hour class action in the Superior Court of
5 California in and for the County of Alameda on July 13, 2010. It was removed to this Court on
6 August 12, 2010, on two independent grounds: diversity-of-citizenship jurisdiction under the Class
7 Action Fairness Act of 2005; and federal subject-matter jurisdiction based on complete preemption of
8 plaintiff's state law claims under the Employee Retirement Income Security Act of 1974. However, no
9 class has been certified in the action, and no notice of the action has been sent to putative class
10 members.

11 2. The parties have reached a resolution of plaintiff's individual claims.

12 3. Based on that resolution, the parties stipulate that the claims asserted by plaintiff on
13 behalf of himself individually be dismissed with prejudice; that the claims asserted by plaintiff on behalf
14 of the class he proposed be dismissed without prejudice; and that each side bears its own costs and
15 attorneys' fees.

16 Dated: March 14, 2011.

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20 By: 

Larry W. Lee
Attorneys for Plaintiff Abram Badalyan

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22 Dated: March 15, 2011.

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Attorneys for Defendants
27 Sodexo, Inc., Sodexo Laundry Services, Inc., Sodexo
28 America, LLC, and Sodexo Vending Services, LLC

ORDER

On the stipulation of the parties, and good cause appearing therefor,

IT IS ORDERED:

1. Plaintiff's claims on behalf of himself individually be and hereby are DISMISSED WITH PREJUDICE.

2. Plaintiff's claims on behalf of the class proposed by plaintiff be and hereby are DISMISSED WITHOUT PREJUDICE.

3. In connection with the foregoing dismissals, EACH SIDE TO BEAR ITS OWN COSTS AND ATTORNEYS' FEES.

Dated: March 21, 2011.



Richard G. Seeborg
United States District Judge