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18 Attorneys for Defendant
 19 PIEDMONT PLASTICS, INC. and
 20 REGAL PIEDMONT PLASTICS, LLC

21 **UNITED STATES DISTRICT COURT**
 22 **NORTHERN DISTRICT OF CALIFORNIA**

23 RICHARD RUY,

24 PLAINTIFF,

25 V.

26 PIEDMONT PLASTICS, INC., a corporation;
 27 REGAL PIEDMONT PLASTICS, a business
 28 entity, form unknown and Does 1-20, inclusive,

Defendants.

) Case No. C 12-01465-~~DMR~~ JSW

) **~~DRAFT~~ STIPULATION AND**
) **[PROPOSED] ORDER RE: DISMISSAL**
) **OF PIEDMONT PLASTICS, INC.**

29 The parties, Plaintiff RICHARD RUY and Defendants PIEDMONT PLASTICS, INC.
 30 and REGAL PIEDMONT PLASTICS, LLC, through their respective counsel, hereby stipulate as
 31 follows:

1 WHEREAS, Plaintiff has brought this action relating to his former employment against
2 corporate entities PIEDMONT PLASTICS, and REGAL PIEDMONT PLASTICS; and,

3 WHEREAS, PIEDMONT PLASTICS, and REGAL PIEDMONT PLASTICS were each
4 named as Defendants in this action based on documents allegedly received by Plaintiff from his
5 employer during his employment making reference to said entities; and

6 WHEREAS, Defendants PIEDMONT PLASTICS, and REGAL PIEDMONT PLASTICS
7 have represented and do represent that REGAL PIEDMONT PLASTICS is the sole true and
8 correct identity of the former employer of Plaintiff RICHARD RUY with regards to Plaintiff's
9 claims in this matter; and

10 WHEREAS, the parties agree that PIEDMONT PLASTICS, should be dismissed in order
11 to simplify the pleadings and serve the interests of judicial economy; and,

12 WHEREAS, Said dismissal shall be without prejudice,

13 WHEREAS, the parties agree that if the Court determines that PIEDMONT PLASTICS,
14 should be reintroduced into the case (for example, based on a contention by Plaintiff that
15 PIEDMONT PLASTICS is an alter ego or successor-in-interest, which is not conceded by this
16 stipulation), such reintroduction shall relate back to the time of the filing of the original
17 complaint in this matter for the purposes of the calculation of any applicable statutes of
18 limitation;

19 THEREFORE, the parties hereby request that Defendant PIEDMONT PLASTICS, INC.
20 be dismissed from this action.

21
22
23 DATED: July 6, 2012

LAW OFFICES OF JEREMY PASTERNAK

24 By /s/ Anthony Oceguela
25 JEREMY PASTERNAK
26 ANTHONY OCEGUERA
27 Attorneys For Plaintiff
28 RICHARD RUY

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DATED: July 6, 2012

Farella Braun + Martel LLP

By /s/ Diego Acevedo
DIEGO ACEVEDO
Attorneys for Defendants
PIEDMONT PLASTICS, INC. and
REGAL PIEDMONT PLASTICS, LLC

PURSUANT TO STIPULATION, IT IS ORDERED THAT PIEDMONT PLASTICS, INC., IS
HEREBY DISMISSED WITHOUT PREJUDICE FROM THIS ACTION.

DATED: July 6, 2012



~~Hon. Donna M. Ryu~~ Jeffrey S. White
United States District Judge