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Attorneys for Defendant DYNAMEX OPERATIONS WEST, LLC

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA

19 JUAN SARAVIA, individually and on
20 behalf of all others similarly situated,

21 Plaintiffs,

22 v.

23 DYNAMEX, INC., DYNAMEX FLEET
 24 SERVICES, INC., DYNAMEX
 25 OPERATIONS EAST, INC. and
 26 DYNAMEX OPERATIONS WEST, INC.,

27 Defendants.

Case No. 3:14-CV-05003-WHA

**STIPULATION AND ~~PROPOSED~~
 ORDER FOR DISMISSAL WITHOUT
 PREJUDICE**

Complaint Filed: November 12, 2014
 Trial Date: January 9, 2017

1 WHEREAS the Court ordered all remaining 125 members of the Collective to
2 consent to the Court’s trial plan by November 23, 2016 or risk dismissal without prejudice from the
3 instant Action (*see* Dkt. No. 205);

4 WHEREAS eighteen members of the collective did not submit their consent to be
5 bound by the Court’s trial plan and remain a part of the instant Action by the November 23, 2016
6 deadline. Those members are:

- 7 (1) Sameullah Bayanzai;
- 8 (2) Naresh Chand Bilash;
- 9 (3) Ronald Devera;
- 10 (4) Victor Godoy Cavallero;
- 11 (5) Budijanto Kamal;
- 12 (6) Rick Lahkar;
- 13 (7) Yuon Lau;
- 14 (8) Latin Mean;
- 15 (9) Daniel Nieto;
- 16 (10) Maria Olguin;
- 17 (11) Ahmed A. Omar;
- 18 (12) Luis A. Silva Valencia;
- 19 (13) Shivinder Singh;
- 20 (14) Rusty Talay;
- 21 (15) Elliot Tenorio;
- 22 (16) Daniel Vargas;
- 23 (17) Jose Cristobal Velasquez; and
- 24 (18) Bobby Williams.

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1 IT IS HEREBY STIPULATED by and between the parties to this action through their
2 designated counsel that the claims of the eighteen individuals identified above are hereby dismissed
3 without prejudice pursuant to F.R.C.P. 41(b) and per the Court's Order re Defendants' Motion to
4 Decertify Collective Action and Plaintiffs' Motion to Bifurcate (*see* Dkt. No. 205).

5 Dated: December 23, 2016

/s/ Nathan Piller

NATHAN PILLER
SCHNEIDER WALLACE COTTRELL
KONECKY WOTKYNS LLP
Attorneys for Plaintiff JUAN SARAVIA

9
10 Dated: December 23, 2016

/s/ Aurelio J. Pérez

AURELIO J. PÉREZ
LITTLER MENDELSON, P.C.
Attorneys for Defendant
DYNAMEX OPERATIONS WEST, LLC

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12
13 The filer of the document attests that concurrence in the filing of the document has
14 been obtained from each of the other Signatories.

15
16 Dated: December 23, 2016

/s/ Aurelio J. Pérez

AURELIO J. PÉREZ
LITTLER MENDELSON, P.C.
Attorneys for Defendant
DYNAMEX OPERATIONS WEST, LLC


PROPOSED ORDER

IT IS HEREBY ORDERED pursuant to the parties' Stipulation, and Good Cause appearing therefor, that the claims of the following individuals are hereby dismissed without prejudice:

1. Sameullah Bayanzai;
2. Naresh Chand Bilash;
3. Ronald Devera;
4. Victor Godoy Cavallero;
5. Budijanto Kamal;
6. Rick Lahkar;
7. Yuon Lau;
8. Latin Mean;
9. Daniel Nieto;
10. Maria Olguin;
11. Ahmed A. Omar;
12. Luis A. Silva Valencia;
13. Shivinder Singh;
14. Rusty Talay;
15. Elliot Tenorio;
16. Daniel Vargas;
17. Jose Cristobal Velasquez; and
18. Bobby Williams II.

IT IS SO ORDERED.

Dated: December 27, 2016.


HONORABLE WILLIAM ALSUP
JUDGE OF THE DISTRICT COURT

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