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8			
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13			
14	UNITED STATES DISTRICT COURT		
15	NORTHERN DISTRICT OF CALIFORNIA		
16			
17	RENEE FASSBENDER AMOCHAEV, DEBORAH ORLANDO, KATHRYN N.	Case No. C- 05-1298 PJH	
18	VARNER and IVY SO, on behalf of themselves and all others similarly situated,	<u>CLASS ACTION</u>	
19	Plaintiffs,	STIPULATION AND ORDER TRANSFERRING CASE TO THE	
20	V.	DISTRICT OF THE DISTRICT OF COLUMBIA	
21	CITIGROUP GLOBAL MARKETS, INC.,		
22	d/b/a SMITH BARNEY,		
23	Defendant.		
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	939243 1	STIPULATION AND ORDER CASE NO. C- 05-1298 PJH	

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1	WHEREAS, the Court entered the final order and judgment in this gender		
2	discrimination class action on August 13, 2008, but retained continuing jurisdiction over the		
3	settlement;		
4	WHEREAS, on January 13, 2009, Morgan Stanley and Citigroup announced that		
5	they had reached agreement to combine Morgan Stanley's Global Wealth Management Group		
6	and Citigroup's Smith Barney group (which employed the Financial Advisor class members in		
7	this case);		
8	WHEREAS, prior to the merger, Morgan Stanley had previously entered into a		
9	settlement of a separately-pending gender discrimination class action on behalf of its female		
10	Financial Advisors, Augst-Johnson, et al v. Morgan Stanley & Co, Incorporated, Case No. 1:06		
11	CV-01142 (RWR) (D.D.C.);		
12	WHEREAS, since the merger, the parties in this case and Augst-Johnson worked		
13	diligently to enter into a Consolidated Settlement Agreement combining the material terms		
14	negotiated in both cases;		
15	WHEREAS, the parties executed a Consolidated Settlement Agreement in late		
16	May, 2011;		
17	WHEREAS, in early June, 2011, counsel in this case alerted the Court to the		
18	merger, the Consolidated Settlement Agreement, and the need to locate the Consolidated		
19	Agreement combining both settlements under one judge;		
20	WHEREAS, the Augst-Johnson was settled first and Morgan Stanley represents		
21	the superior shareholder in the merged companies, the parties have proposed that the District of		
22	Columbia be the venue for the Consolidated Settlement to proceed; and		
23	WHEREAS, having discussed this matter with this Court and thereafter providing		
24	the same information to Judge Richard W. Roberts, the presiding judge in Augst-Johnson, Judge		
25	Roberts advised the parties in <i>Augst-Johnson</i> by Minute Order dated September 19, 2011, "This		
26	Court is prepared to move forward with a transferred and consolidated related case";		
27			

28

1	IT IS HEREBY STIPULATED, by and between the parties through their		
2	respective counsel of record, that the parties respectfully propose that the Court transfer the file in		
3	this case to the District of Columbia for consolidation with the Augst-Johnson case so that the		
4	Consolidated Settlement Agreement may be considered, and with continuing jurisdiction to		
5	remain over the settlement in the District of Columbia.		
6	SO STIPULATED.		
7			
8	Dated: September 30, 2011	Respectfully submitted,	
9		LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP	
10			
11		By: /s/ Kelly M. Dermody Kelly M. Dermody	
12		Kelly M. Dermody (State Bar No. 171716)	
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23		Facsimile: (202) 822-4997	
24		Plaintiffs' Class Counsel	
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27			

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1	DATED: September, 30, 2011	MORGAN LEWIS & BOCKIUS LLP
2		Ry: /s/Mark Dichtor
3		By: /s/ Mark Dichter  Mark Dichter
4		Mark Dichter ( <i>pro hac vice</i> ) MORGAN LEWIS & BOCKIUS LLP
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**ORDER** 

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Clerk's Office is hereby directed to transfer the file in this case to the U.S. District Court for the District of Columbia for consideration of relation to *Augst-Johnson*, *et al v. Morgan Stanley & Co*, *Incorporated*, Case No. 1:06-CV-01142 (RWR) (D.D.C.).

Dated: October 3 , 2011

