

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

3
4 CURTIS MONK, JR.,
5 Plaintiff,
6 V.

CASE NO. 4:14-cv-04732-JSW

Hon. Jeffrey S. White

7 TEACHERS INSURANCE AND
8 ANNUITY ASSOCIATION OF
9 AMERICA (TIAA-CREF); TIAA-
10 CREF TRUST COMPANY, FSB;
11 KEVIN O'LEARY, an individual,
12 LANCE HALLAM, an individual,
13 and KATHIE ANDRADE, an
14 individual and DOES 1-50,
15 Inclusive,

**STIPULATION AND PROPOSED
ORDER DISMISSING CLAIMS
WITHOUT PREJUDICE AND
PERMITTING FILING OF FIRST
AMENDED COMPLAINT
AS MODIFIED HEREIN**

16 Defendants.

ADISHIAN LAW GROUP, P.C.

17 **IT IS HEREBY STIPULATED**, by the parties to this action, by and through
18 their respective attorneys of record, as follows:

- 19 (1) Plaintiff CURTIS MONK, JR. hereby dismisses without prejudice the cause
20 of action for wrongful termination in violation of public policy;
- 21 (2) Plaintiff CURTIS MONK, JR. hereby dismisses without prejudice the cause
22 of action for intentional infliction of emotional distress;
- 23 (3) Plaintiff CURTIS MONK, JR. hereby dismisses without prejudice the cause
24 of action for negligent infliction of emotional distress;
- 25 (4) Plaintiff CURTIS MONK, JR. hereby dismisses without prejudice the cause
26 of action for retaliation;
- 27 (5) Plaintiff CURTIS MONK, JR. shall file a First Amended Complaint, attached
28 hereto as **Exhibit A**, adding the causes of action and parties named therein;
- (6) The First Amended Complaint shall be deemed filed on the date the Order

ADISHIAN LAW GROUP, P.C.

1 accompanying this Stipulation is signed by the Hon. Jeffrey S. White.

2 Dated: June 12, 2015

ADISHIAN LAW GROUP, P.C.

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By:

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5

/s/ Christopher M. Adishian

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Christopher M. Adishian

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Attorneys for Plaintiff

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Dated: June 12, 2015

MUNGER, TOLLES & OLSON LLP

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By:

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/s/ Malcolm A. Heinicke

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Malcolm A. Heinicke

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Bart H. Williams

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Marja-Liisa Overbeck

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Attorneys for Defendants

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Pursuant to Stipulation, IT IS SO ORDERED.

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The causes of action for wrongful termination in violation of public policy;

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intentional infliction of emotional distress; negligent infliction of emotional distress;

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and retaliation are dismissed without prejudice, and Plaintiff is granted leave to file

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the First Amended Complaint, which shall be deemed filed on the date this Order is

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entered. Plaintiff shall electronically file the Amended Complaint attached as an exhibit to this Order by

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June 16, 2015. If the amended complaint moots the placeholder hearing date set for July 24,

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2015, the parties shall file a notice to that effect by June 16, 2015.

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Dated: June 12, 2015

Judge of the U.S. District Court

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