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E-FILED 12/17/08

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

20 PAUL VELIZ, et al., On behalf of
 21 Themselves and All Others Similarly
 22 Situated,

Plaintiffs,

vs.

24 CINTAS CORPORATION, an Ohio
 25 corporation; PLAN ADMINISTRATOR
 26 for the Cintas Partners' Plan; and
 27 DOES 1-25, inclusive,

Defendants.

Case No. 03-01180 RS

[E-FILING]

CLASS ACTION

**STIPULATION AND ~~PROPOSED~~ ORDER
 REGARDING RELEASE OF CLAIMS
 ARISING FROM PREVIOUS CLASS ACTION
 SETTLEMENT AND ORDER THEREON**

1 WHEREAS, on March 19, 2003, plaintiffs filed *Veliz v. Cintas Corporation*, Case No. C-
2 03-1180-RS, in the United States District Court for the Northern District of California (“*Veliz*
3 *Action*”) against defendants (collectively “Cintas”), alleging that Cintas had failed to pay all
4 overtime wages due under the FLSA and certain state laws and deprived them of certain benefits
5 protected by ERISA;

6 WHEREAS, Cintas contends that certain *Veliz Action* plaintiffs’ claims are barred or
7 limited by a Class Action Settlement entered by the Los Angeles County Superior Court on
8 February 5, 2003 in the related cases *Vaca et al. v. Cintas Corp.*, Case No. BC 250459 and
9 *Barajas et al. v. Cintas Corp.*, Case No. BC 251276;

10 NOW THEREFORE, the parties, through their respective counsel of record, hereby
11 stipulate:

12 1. The plaintiffs listed in Schedule A to this Stipulation hereby acknowledge that, by
13 virtue of the Class Action Settlement described above, they have released any and all claims,
14 known or unknown, for any failure to compensate for overtime up through and including June 1,
15 2002, under California or other state law or federal statute, ordinance, regulation, common law or
16 other source of law, whether or not such claims are in the nature of back pay, damages, penalties,
17 attorneys’ fees and/or injunctive relief, whether in contract, tort, or pursuant to a statutory
18 remedy, including, but not limited to any claims that were or could have been brought for unpaid
19 wages and penalties under any of the following: (1) California Labor Code sections 1194 et seq.;
20 California Labor code sections 201 et seq.; California Labor Code Sections 500 et seq.; the
21 applicable wage orders of the California Industrial Welfare Commission; and the Fair Labor
22 Standards Act, 29 U.S.C. §201 et seq.; (2) any claims for conversion of overtime compensation or
23 pay; (3) any claims for unfair business practices (including unlawful, deceptive, or unfair business
24 practices prohibited by the California Business and Professions Code sections 17200 et seq.)
25 relating in any way to a failure to pay overtime compensation; and (4) any claims for attorney’s
26 fees, costs of prosecution, and the like (“Released Claims”). The parties acknowledge that the
27 plaintiffs listed in Schedule A hereto are not seeking recovery on any of the Released Claims for
28 periods preceding June 2, 2002.

1 Claims for periods preceding June 2, 2002. The court further orders that the parties shall bear
2 their own costs, fees and expenses with respect to any such claims.

3 IT IS SO ORDERED.

4 Dated: December 17, 2008



5 UNITED STATES MAGISTRATE JUDGE

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SCHEDULE A

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12. Jose Tarango
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