

1 MANATT, PHELPS & PHILLIPS, LLP
 2 ROBERT H. PLATT (Bar No. CA 108533)
 3 Email: rplatt@manatt.com
 4 ANDREW L. SATENBERG (Bar No. CA 174840)
 5 Email: asatenberg@manatt.com
 6 REID DAVIS (Bar No. CA 275164)
 7 Email: redavis@manatt.com
 8 11355 West Olympic Boulevard
 9 Los Angeles, CA 90064-1614
 10 Telephone: (310) 312-4000
 11 Facsimile: (310) 312-4224

12 *Attorneys for Defendant*
 13 H & M HENNES & MAURITZ, L.P.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 SUZANNE TRAN, individually and on
 17 behalf of all person similarly situated,

18 Plaintiff,

19 vs.

20 H & M HENNES & MAURITZ, L.P.,
 21 and DOES 1 through 100, inclusive,

22 Defendants.

No. C 12-00555 EJD

STIPULATION FOR ORDER TO
 REMAND MATTER TO STATE
 COURT

[~~PROPOSED~~] ORDER

23 TO THE HONORABLE EDWARD J. DAVILA, UNITED STATES
 24 DISTRICT JUDGE:

25 Defendant H & M HENNES & MAURITZ, L.P. (“Defendant”) and Plaintiff
 26 SUZANNE TRAN (“Plaintiff”), by and through their counsel of record, submit the
 27 following Stipulation.

28 (1) WHEREAS Based on what is known at this time before discovery has
 been conducted, Plaintiff has represented that she presently intends to pursue claims
 in this case that are limited to amounts allegedly recoverable as a result of situations
 in which a non-exempt management employee could not take a meal period due to

1 being the only management employee on duty;

2 (2) WHEREAS Plaintiff has represented that the proposed class definition
3 for the new class will be: "All individuals who are currently employed, or formerly
4 have been employed by Defendant as non-exempt store management employee in
5 the positions of supervisor, department manager, assistant manager and/or store
6 manager and worked in Defendant's stores in the State of California, at any time
7 within four years prior to the filing of the original complaint until resolution of this
8 action"; and

9 (3) WHEREAS Plaintiff has represented that, in her amended complaint,
10 she will state that she currently "believes that the total recovery in this action will
11 not exceed 5 Million" but this does not prevent Plaintiff from amending the
12 representation at a later date nor Defendant's right to revisit removal in the event of
13 any such amendment.

14 IT IS HEREBY STIPULATED by the Parties, through their counsel of
15 record, as follows:

16 The above-entitled matter shall be remanded to the Superior Court for the
17
18
19
20

21 ///

22

23 ///

24

25 ///

26

27

28

1 State of California, County of Santa Clara.


2 Dated: March 15, 2012

Respectfully submitted,
MANATT, PHELPS & PHILLIPS, LLP

3

4

5

By: 

6

Andrew Satenberg
Attorneys for Defendant
H & M HENNES & MAURITZ, L.P.

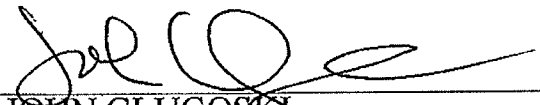
7

8 Dated: March 15, 2012

Respectfully submitted,
RIGHETTI - GLUGOSKI P.C.

9

10

By: 

11

JOHN GLUGOSKI
Attorneys for Plaintiff SUZZANE TRAN

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 ~~PROPOSED~~ ORDER

2 The Court having read the foregoing Stipulation for Order to Remand Matter
3 to State Court, it is hereby ORDERED that,
4

5 The matter entitled *Tran v. H & M Hennes & Mauritz, L.P.*, Case No. No. C
6 12-00555 EJD is hereby remanded to the Superior Court for the State of California,
7 County of Santa Clara.

8 The Clerk shall close this file.

9 Dated: March 19, 2012

10 
11 EDWARD J. DAVILA
12 UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28