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10 Attorneys for Defendants INTERSTATE HOTELS, L.L.C.;  
HMC ACQUISITION PROPERTIES, INC.; JOHN  
11 TROVATO; AND PENNY RICHARDSON

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 EQUAL EMPLOYMENT COMMISSION  
16 and RAUL TOMAS GUTIERREZ,

17 Plaintiffs,

18 v.

19 INTERSTATE HOTELS, L.L.C.; HMC  
20 ACQUISITION PROPERTIES, INC., dba  
SAN FRANCISCO MARRIOTT AT  
21 FISHERMAN'S WHARF; JOHN  
TROVATO; and PENNY RICHARDSON,

22 Defendants.

Case No. C 04-4092 WHA

**STIPULATION AND ~~PROPOSED~~ ORDER  
FOR DISMISSAL OF INTERVENOR**

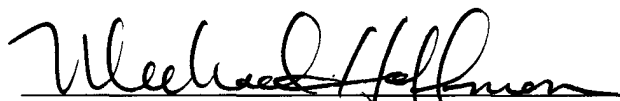
Hon. William H. Alsup

23  
24 IT IS HEREBY STIPULATED, by and between Plaintiff-Intervenor Raul Gutierrez  
25 and Defendants, through their respective counsel and subject to Court approval, to the following:

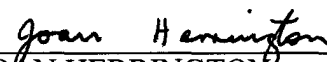
26 1. Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff-  
27 Intervenor Gutierrez dismisses with prejudice all claims he has asserted in the action, with all sides

1 to bear their respective attorneys' fees and costs, subject to any conflicting terms and conditions in  
2 the Consent Decree entered by the Court.

3  
4 Dated: Nov. 22, 2005

  
MICHAEL HOFFMAN  
LITTLER MENDELSON  
A Professional Corporation  
Attorneys for Defendants

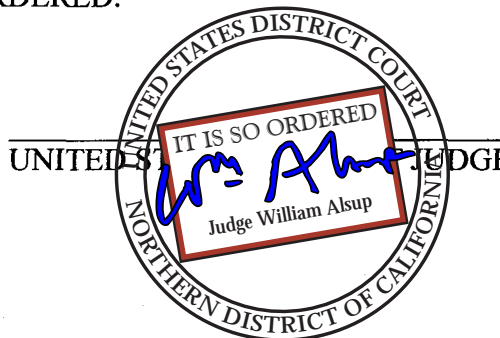
8 Dated: 11/18, 2005

  
JOAN HERRINGTON  
BAY AREA EMPLOYMENT LAW OFFICE  
Attorney for Plaintiff  
RAUL T. GUTIERREZ

14 **ORDER**

15 Pursuant to Stipulation, IT IS SO ORDERED.

17 Dated: November 25, 2005



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