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10 *Additional Class Counsel appear on*
11 *signature page*

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14 DERRICK SATCHELL, KALINI BOYKIN,
VALERIE BROWN, RICK GONZALES,
15 CYNTHIA GUERRERO, RACHEL
HUTCHINS, TYRONE MERRITT, KELVIN
16 SMITH, SR., and KEN STEVENSON, on
behalf of themselves and all others similarly
17 situated,

18 Plaintiffs,

19 v.

20 FEDEX EXPRESS, a Delaware corporation,

21 Defendant.

Case No. C 03-2659 SI; C 03-2878 SI

**REQUEST FOR ORDER OF DISMISSAL
AND [proposed] ORDER**

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REQUEST FOR ORDER OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure (“FRCP”) 41 and this Court’s Order Granting Defendant’s Motion for Counterclaim and Interpleader Relief of July 8, 2008, Plaintiffs Derrick Satchell, Kalini Boykin, Valerie Brown, Rick Gonzales, Cynthia Guerrero, Rachel Hutchins, Tyrone Merritt, Kelvin Smith, Sr., and Ken Stevenson hereby file this Request for Order of Dismissal of their non-class claims with prejudice.

Respectfully submitted,

Date: July 11, 2008

/s/ Guy B. Wallace

Guy B. Wallace

ORDER

Pursuant to the Request, the Court ORDERS as follows:

The non-class claims of Plaintiffs Derrick Satchell, Kalini Boykin, Valerie Brown, Rick Gonzales, Cynthia Guerrero, Rachel Hutchins, Tyrone Merritt, Kelvin Smith, Sr., and Ken Stevenson are hereby dismissed with prejudice.

To the extent that Mr. McCoy may be subject to an award of reasonable attorneys’ fees and costs relating to the dispute resolved by this Court’s Order of April 2, 2008, any firms seeking such an award shall do so in conformance with FRCP 54 and Local Rule 54. Any such application shall be filed by no later than 7/28/08.

Date: _____



The Honorable Susan Illston

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