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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| ATTORNEY OR PARTY WITHOUT ASSIGNMENT: STATE BAR NO.: 256163<br>NAME: David Markevitch<br>FIRM NAME: Affeld Grivakes LLP<br>STREET ADDRESS: 1261 Lincoln Avenue, Suite 208<br>CITY: San Jose STATE: CA ZIP CODE: 95125<br>TELEPHONE NO.: 408-463-6802 FAX NO.: 408-503-0889<br>E-MAIL ADDRESS: dm@agzlaw.com<br>ATTORNEY FOR (name): Plaintiff, Dipti Rai | FOR COURT USE ONLY                             |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA</b><br>STREET ADDRESS: 161 N. First Street<br>MAILING ADDRESS: 161 N. First Street<br>CITY AND ZIP CODE: San Jose, CA 95113<br>BRANCH NAME: Old Courthouse                                                                                                                                        | CASE NUMBER:<br>21CV376505                     |
| PLAINTIFF/PETITIONER: DIPTI RAI<br>DEFENDANT/RESPONDENT: INTUIT INC.<br>OTHER:                                                                                                                                                                                                                                                                           | JUDICIAL OFFICER:<br>Honorable Peter H. Kirwan |
| <b>PROPOSED ORDER (COVER SHEET)</b>                                                                                                                                                                                                                                                                                                                      | DEPT:<br>19                                    |

**NOTE:** This cover sheet is to be used to electronically file and submit to the court a proposed order. The proposed order sent electronically to the court must be in PDF format and must be attached to this cover sheet. In addition, a version of the proposed order in an editable word-processing format must be sent to the court at the same time as this cover sheet and the attached proposed order in PDF format are filed.

1. Name of the party submitting the proposed order:  
All parties in the case pursuant to a stipulation. Plaintiff Dipti Rai. Defendant Intuit Inc.
2. Title of the proposed order:  
Notice of Settlement and Joint Stipulation and [Proposed] Order Dismissing Plaintiff's Seventh Cause of Action
3. The proceeding to which the proposed order relates is:
  - a. Description of proceeding: Mediation Status Review
  - b. Date and time: 9/30/2021, 10:30 am
  - c. Place: Department 19
4. The proposed order was served on the other parties in the case.

David Markevitch

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

|            |                            |
|------------|----------------------------|
| CASE NAME: | CASE NUMBER:<br>21CV376505 |
|------------|----------------------------|

**PROOF OF ELECTRONIC SERVICE  
PROPOSED ORDER**

1. I am at least 18 years old and **not a party to this action.**

a. My residence or business address is *(specify)*:

b. My electronic service address is *(specify)*:

2. I electronically served the *Proposed Order (Cover Sheet)* with a proposed order in PDF format attached, and a proposed order in an editable word-processing format as follows:

a. On *(name of person served)* *(If the person served is an attorney, the party or parties represented should also be stated.)*:

b. To *(electronic service address of person served)*:

c. On *(date)*:

☐ Electronic service of the *Proposed Order (Cover Sheet)* with the attached proposed order in PDF format and service of the proposed order in an editable word-processing format on additional persons are described in an attachment.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF DECLARANT)



\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

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23 Attorneys for Defendant  
24 INTUIT INC.

25 SUPERIOR COURT OF CALIFORNIA

26 COUNTY OF SANTA CLARA

27 DIPTI RAI, an individual,

28 Plaintiff,

v.

INTUIT INC., a Delaware corporation; and  
DOES 1 through 20, inclusive,

Defendants.

Case No. 21CV376505

ASSIGNED FOR ALL PURPOSES TO JUDGE  
HON. PETER H. KIRWAN

**NOTICE OF SETTLEMENT AND JOINT  
STIPULATION AND [PROPOSED] ORDER  
DISMISSING PLAINTIFF'S SEVENTH  
CAUSE OF ACTION – PRIVATE  
ATTORNEYS GENERAL ACT**

Trial Date: None Set  
Complaint Filed: January 19, 2021

Filed  
September 23, 2021  
Clerk of the Court  
Superior Court of CA  
County of Santa Clara  
21CV376505  
By: raragon

21CV376505

NOTICE OF SETTLEMENT AND JOINT STIPULATION AND ORDER DISMISSING CAUSE OF ACTION

1 Plaintiff DIPTI RAI (“Plaintiff”) and Defendant INTUIT INC. (“Defendant” or  
2 “Intuit”) (collectively, the “Parties”) hereby provide notice of the pending individual settlement of this  
3 Action and stipulate and agree to Plaintiff’s immediate, voluntary dismissal of Plaintiff’s Private  
4 Attorneys General Act (“PAGA”) claim (Seventh Cause of Action) with prejudice as to Plaintiff and  
5 without prejudice as to other employees and the State of California, with Plaintiff’s remaining causes  
6 of action to be dismissed after payment of the settlement amount pursuant to the terms and conditions  
7 of the Parties’ Settlement Agreement.

8 1. WHEREAS, Plaintiff filed her civil Complaint on January 19, 2021 alleging  
9 individual causes of action for (1) Discrimination in Violation of Fair Employment & Housing Act,  
10 Gov. Code § 12940, *et seq.*; (2) Harassment in Violation of Fair Employment & Housing Act, Gov.  
11 Code § 12940, *et seq.*; (3) Retaliation in Violation of Fair Employment & Housing Act, Gov. Code §  
12 12940, *et seq.*; (4) Violation of California Labor Code § 1102.5; (5) Violation of California Labor  
13 Code §§ 98.6 and 232.5(c); (6) Intentional Infliction of Emotional Distress; and a representative claim  
14 under the (7) Private Attorneys General Act.

15 2. WHEREAS, prior to filing her civil Complaint, Plaintiff filed a letter with the  
16 California Labor & Workforce Development Agency (“LWDA”) on August 19, 2020, alleging similar  
17 claims and factual allegations arising under Labor Code sections 98.6(a), 232.5(c), and 1102.5(b).

18 3. WHEREAS, on July 21, 2020, the Parties participated in a full-day mediation  
19 with mediator Michael D. Young, Esq. regarding the claims and defenses raised and in furtherance of  
20 a settlement negotiation.

21 4. WHEREAS, thereafter, the Parties were able to reach a settlement that resolved  
22 all of Plaintiff’s claims asserted in this Action.

23 5. WHEREAS, the Parties’ have agreed to Plaintiff’s voluntary, immediate  
24 dismissal of her Seventh Cause of Action under the Private Attorneys General Act, with prejudice as  
25 to Plaintiff and without prejudice to any other party and the State of California.

26 6. WHEREAS, Plaintiff will promptly provide a copy of this Stipulation and  
27 Order to the California Labor and Workforce Development Agency (“LWDA”) via the LWDA’s  
28 online notice portal.

1                   7.       WHEREAS, to the Parties' knowledge, this case has not received publicity nor  
2 has any written notice of this case been sent to other "allegedly aggrieved employees" currently or  
3 formerly employed by Intuit.

4                   NOW THEREFORE, the Parties hereby stipulate, agree to, and request the immediate  
5 dismissal of Plaintiff's Seventh Cause of Action – Private Attorneys General Act claims, with  
6 prejudice as to Plaintiff Dipti Rai and without prejudice as to other employees and the State of  
7 California (including the LWDA).

8                   IT IS SO STIPULATED.

9  
10 Dated: September \_\_\_\_\_, 2021

Date:  
2021.09.03  
14:03:13  
-07'00'

11  
12 \_\_\_\_\_  
DAVID W. AFFELD, Bar No. 123922  
13 DAMION D. ROBINSON, Bar No. 262573  
DAVID MARKEVITCH, Bar No. 256163  
14 AFFELD GRIVAKES LLP  
Attorneys for Plaintiff  
15 DIPTI RAI

16 Dated: September 2, 2021

17  
18 \_\_\_\_\_  
JOSHUA D. LEVINE  
19 KARA COLE  
20 LITTLER MENDELSON, P.C.  
Attorneys for Defendant  
21 INTUIT INC.

**~~PROPOSED~~ ORDER**

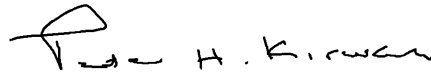
Having considered the Parties' Joint Stipulation Dismissing Plaintiff's Seventh Cause of Action – Private Attorneys General Act, and finding GOOD CAUSE therefore, IT IS HEREBY ORDERED THAT:

1. Plaintiff's Seventh Cause of Action – Private Attorneys General Act claim is hereby DISMISSED WITH PREJUDICE as to Plaintiff Dipti Rai and DISMISSED WITHOUT PREJUDICE as to other employees and the State of California (including the LWDA).
2. Plaintiff shall provide notice of this Order to the LWDA.

Having been apprised of the Parties' settlement of the entire action, the Court further Orders that all currently scheduled future dates are VACATED.

Dated: \_\_\_\_\_

Signed: 9/21/2021 01:51 PM



\_\_\_\_\_  
HON. PETER H. KIRWAN  
SUPERIOR COURT JUDGE