

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

RICHARD GATHENJI,) CASE NO. 1:08-cv-01941-LJO-JLT
Plaintiff,)
v.)
AUTOZONEERS, LLC., et al.,) ORDER RE: LEAVE TO FILE AMENDED
Defendants.) SECOND AMENDED COMPLAINT
) (Doc. 67)
)
)

Before the Court is the stipulation of the parties allowing Plaintiff to file an amended Second Amended Complaint. In essence, the parties report that when the second amended complaint was filed, Plaintiff failed to delete certain allegations that had been disposed of by the Court when it decided the motions for summary judgment filed earlier. The parties agree that this material should not be included in the current complaint.

Based upon this stipulation and good cause appearing, the Court **GRANTS** Plaintiff leave to file his amended complaint. It must be filed no later than June 24, 2010.

IT IS SO ORDERED.

Dated: June 22, 2010

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE