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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BLACK & VEATCH CORPORATION,

Plaintiff,

v.

MODESTO IRRIGATION DISTRICT,

Defendant

CASE NO. 1:11-cv-00695-LJO-SKO

**ORDER GRANTING THE PARTIES'
STIPULATED REQUEST TO FILE
AMENDED PLEADINGS AND
REQUIRING THE PLEADINGS TO
BE FILED SEPARATELY**

(Docket No. 95)

MODESTO IRRIGATION DISTRICT,

Counterclaimant,

v.

BLACK & VEATCH CORPORATION,

Counterdefendant.

AND RELATED ACTIONS.

On April 27, 2012, the parties filed a stipulation and order that various parties be permitted to file amended pleadings. (Doc. 95.) Specifically, the parties stipulated that Black & Veatch may file a First Amended Complaint, Modesto Irrigation District may file a First Amended Counterclaim,

1 and Western Summit Constructors, Inc. may file a First Amended Counterclaim. (Doc. 95.) The
2 parties submitted their proposed amended pleadings attached to their stipulation, requesting that the
3 attached pleadings be deemed filed subject to the Court's approval. (See Docs. 95-1, 95-2, 95-3.)

4 Although the Court approves the parties' stipulation as it relates to the filing of amended
5 pleadings, for purposes of docket management, the operative pleadings must be filed on the docket
6 separately. Thus, Black & Veatch must file its First Amended Complaint, and Modesto Irrigation
7 District and Western Summit Constructors, Inc. must each file their respective First Amended
8 Counterclaims – the Court will not deem the pleadings filed.

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. Within two (2) days from the date of this order, Black & Veatch shall file a First
11 Amended Complaint conforming to the proposed amended complaint filed as an
12 exhibit to the parties' stipulation;
- 13 2. Within two (2) days from the date of this order, Modesto Irrigation District shall file
14 a First Amended Counterclaim conforming to the proposed amended counterclaim
15 filed as an exhibit to the parties' stipulation; and
- 16 3. Within two (2) days from the date of this order, Western Summit Constructors, Inc.
17 shall file a First Amended Counterclaim conforming to the proposed amended
18 counterclaim filed as an exhibit to the parties' stipulation.

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20 IT IS SO ORDERED.

21 **Dated:** April 30, 2012

22 /s/ Sheila K. Oberto
23 UNITED STATES MAGISTRATE JUDGE
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