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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LOUIS J. AMENDOLA, an individual,
FRESNO BEVERAGE COMPANY, INC.,
a California Corporation, dba Valley Wide
Beverage Company,

CASE NO. 1:11-cv-01001-AWI-SKO

**ORDER GRANTING IN PART THE
PARTIES' STIPULATED REQUEST**

Plaintiffs,

v.

(Docket No. 16)

HOWARD REISSNER, et al.,

Defendants.

_____ /

On April 10, 2012, the parties stipulated that Plaintiffs be permitted to file a First Amended Complaint. (Doc. 16.) The parties stipulated that the proposed First Amended Complaint attached to their stipulation be deemed filed, subject to the Court's approval. (See Doc. 16-1.) The parties further stipulated that Defendants may, "at their option," file a response to the amended complaint; if they did not do so, their answer already on file would be deemed an Answer to the amended complaint.

Although the Court approves the parties' stipulation as it relates to the filing of amended pleadings, for purposes of docket management, the operative pleadings must be filed on the docket separately. Thus, Plaintiffs must file their First Amended Complaint – the Court will not deem it

1 filed. Further, Defendants must file a response to the First Amended Complaint, but they may elect
2 to refile the original Answer to the complaint.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. Within two (2) days from the date of this order, Plaintiffs shall file a First Amended
5 Complaint conforming to the proposed amended complaint filed as an exhibit to the
6 parties' stipulation; and
- 7 2. Within twenty (20) days from the date of this order, Defendant shall file a response
8 to the First Amended Complaint or **refile** the Answer that is already contained on the
9 docket.

10
11 IT IS SO ORDERED.

12 **Dated:** April 12, 2012

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE