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6
 7 UNITED STATES DISTRICT COURT
 8 EASTERN DISTRICT OF CALIFORNIA
 9

10 CHRISTINE TOTH,)	Case No. 1:12-CV-00001-LJO-DLB
)	
11 Plaintiff,)	STIPULATION OF ALL PARTIES TO
)	ALLOW PLAINTIFF TO FILE A
12 vs.)	SECOND AMENDED COMPLAINT,
)	CONTINUE THE SCHEDULING
13 GUARDIAN INDUSTRIES CORP., a)	CONFERENCE, AND TO CONTINUE
Delaware corporation, and DOES 1 through)	ALL DATES ASSOCIATED WITH THE
14 20, inclusive,)	SCHEDULING CONFERENCE AND
)	ORDER OF THE COURT
15 Defendants.)	
_____)	Complaint Filed: November 9, 2011

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 17 On April 16, 2012, the parties engaged in a full day of Mediation before Judge Cahill (Ret.).
 18 To date, the parties are continuing to explore settlement. To streamline the issues before the Court
 19 and relieve the Court of added administrative responsibilities, Plaintiff wishes to file a Second
 20 Amended Complaint prior to Defendant filing an additional Motion to Dismiss. Defendant agrees
 21 to Plaintiff adding a new cause of action before Defendant files it's next Motion to Dismiss. The
 22 parties request that this Stipulation be accepted by the Court and so Ordered.

23 **STIPULATION**

24 It is hereby stipulated by and between the parties, through their respective counsel, that:

- 25 1. Plaintiff be permitted to file a Second Amended Complaint, without prejudice to
 26 Defendant Guardian Industries' right to move to dismiss any of the causes of action alleged in the
 27 Second Amended Complaint;
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1 2. Defendant Guardian Industries has 28 days to respond to the Second Amended
2 Complaint from the date it is filed with the Court;

3 3. The Rule 26 disclosures be continued to 35 days after the Second Amended Complaint
4 has been filed with the Court;

5 4. The Scheduling Conference currently scheduled for May 16, 2012, be continued to at
6 least 45 days after the Second Amended Complaint is filed.

7 **It is so stipulated and agreed.**

8 Dated: April 27, 2012

SMITH JOHNSON, INC.

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10 /S/WILLIAM J. SMITH

11 WILLIAM J. SMITH, Attorneys for Plaintiff
12 CHRISTINE TOTH

13 Dated: April 27, 2012

THE LAW OFFICE OF GREGORY J. SMITH

14
15 /S/GREGORY J. SMITH

16 GREGORY J. SMITH, Attorneys for Defendants
17 GUARDIAN INDUSTRIES CORP.

18
19 **ORDER**

20 Based upon the foregoing, the Court approves the stipulated requests and continues the
21 Scheduling Conference to July 30, 2012 at 9:30 am before Magistrate Judge Beck.

22 IT IS SO ORDERED.

23 **Dated: April 30, 2012**

/s/ Dennis L. Beck
24 UNITED STATES MAGISTRATE JUDGE