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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

TRISHA BUCK, on behalf of herself, and
all others similarly situated,

Plaintiff,

v.

CEMEX, INC., a Louisiana Corporation;
CEMEX CONSTRUCTION MATERIALS
PACIFIC, LLC, a Delaware Limited
Liability Company; and DOES 1-50,
inclusive,

Defendants.

CASE NO. 1:13:-cv-00701-LJO-MJS

**STIPULATION AND MODIFIED¹ ORDER
FOR LEAVE TO FILE AMENDED
COMPLAINT**

¹ Substantive modifications to the proposed order are bolded and underlined.

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ORDER

PURSUANT TO THE FOREGOING STIPULATION TO FILE AMENDED COMPLAINT (ECF No. 33) , IT IS HEREBY ORDERED that Plaintiff is granted leave to file the proposed Amended Complaint, a copy of which is attached as Exhibit 1 to the Stipulation, and that Plaintiff **shall** file the proposed Amended Complaint within five (5) days after the Court's entry of this order, should Plaintiff choose to pursue the claims and causes of action alleged in the proposed Amended Complaint.

IT IS FURTHER ORDERED that Defendants shall file a response to the Amended Complaint within **thirty (30)** days after the date the Amended Complaint is filed by Plaintiff.

PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED.

IT IS SO ORDERED.

Dated: October 31, 2013

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE