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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Maurice J. Curtis,
Plaintiff,
vs.
Coca-Cola Enterprises Bottling Companies,
dba. Coca Cola Bottling Company of Los
Angeles; and DOES One through Twenty,
inclusive
Defendant.

CASE NO. 1:13-CV-01939 AWI (BAM)
**ORDER GRANTING STIPULATION
FOR LEAVE TO PERMIT PLAINTIFF
TO FILE A SECOND AMENDED
COMPLAINT, TO DISMISS VALERIE
BUSTAMANTE AS A DEFENDANT AND
TO DISMISS CERTAIN TIME-BARRED
CLAIMS**

1 **ORDER**

2 Pursuant to the Stipulation For Leave To Permit Plaintiff To File A Second Amended
3 Complaint, To Dismiss Valerie Bustamante As A Defendant And To Dismiss Certain Time-
4 Barred Claims, filed jointly by Plaintiff Maurice J. Curtis (“Plaintiff”) and Defendant BCI Coca-
5 Cola Bottling Company of Los Angeles, erroneously named as “Coca-Cola Enterprises Bottling
6 Companies, dba. Coca Cola Bottling Company of Los Angeles” (“Defendant” or “BCI”)
7 (collectively, the “Parties”), and good cause appearing, the Court hereby GRANTS the Stipulation
8 as follows:

9 1. Plaintiff’s purported claims against Valerie Bustamante are hereby dismissed with
10 prejudice from this action.

11 2. Plaintiff’s purported claims against Defendants for “Wrongful Termination in
12 Violation of Public Policy” and for “Negligent Infliction of Emotional Distress” are hereby
13 dismissed with prejudice from this action.

14 3. Plaintiff is afforded leave to file the Second Amended Complaint attached to the
15 Parties’ Stipulation as Exhibit A, with the Second Amended Complaint deemed filed upon entry of
16 the Court’s Order approving this Stipulation, and subject to Plaintiff’s claims against Defendant
17 BCI relating back to October 10, 2013, the date on which Plaintiff’s original Complaint was filed.

18 4. By virtue of entering into this Stipulation, the Parties do not waive and expressly
19 reserve all claims, rights and defenses in this action including, but not limited to, Defendant’s right
20 to challenge Plaintiff’s jury demand in this action and the Second Amended Complaint as
21 untimely as part of Defendant’s currently-pending Motion to Strike Plaintiff’s Untimely Demand
22 For Jury Trial (Dkt. #13), which is set for hearing on August 15, 2014.

23 IT IS SO ORDERED.

24 Dated: July 22, 2014

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26 SENIOR DISTRICT JUDGE