

1 Tanya E. Moore, SBN 206683
2 MOORE LAW FIRM, P.C.
3 332 North Second Street
4 San Jose, California 95112
5 Telephone (408) 298-2000
6 Facsimile (408) 298-6046
7 Email: tanya@moorelawfirm.com

8 Attorneys for Plaintiff
9 Cecil Shaw

10
11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**

13 CECIL SHAW,

14 Plaintiff,

15 vs.

16 BLACK BEAR DINER-TULARE L.P. dba
17 BLACK BEAR DINER, et al.,

18 Defendants.

) No. 1:14-cv-00849-GSA

) **STIPULATION FOR FILING OF FIRST**
) **AMENDED COMPLAINT; ORDER**
) **THEREON**

19 IT IS HEREBY STIPULATED by and between the parties hereto through their
20 respective attorneys of record that Plaintiff may file a First Amended Complaint, a redlined
21 copy of which is attached hereto as Exhibit "A." If and when this Court issues an order
22 granting this Stipulation, Plaintiff will file and serve within five (5) days a non-redlined
23 version of the First Amended Complaint.

24 IT IS FURTHER STIPULATED that Defendants waive notice and service of the First
25 Amended Complaint and shall not be required to answer the amendment, but each has the
26 option to either 1) file a responsive pleading (within fourteen (14) days of the First Amended
27 Complaint being filed), or 2) elect to treat all of that party's denials, responses, and affirmative
28 defenses contained in the applicable Answer filed herein as responsive to the First Amended

STIPULATION FOR FILING FIRST AMENDED COMPLAINT; ORDER THEREON

1 Complaint.

2 IT IS FURTHER STIPULATED that the amendment will not modify any date or
3 deadline fixed by the Court's Scheduling Conference Order dated September 29, 2014 (Dkt.
4 14) pursuant to Fed. R. Civ. P. 16(b)(4);

5 **IT IS SO STIPULATED.**

6
7 Dated: November 20, 2014

MOORE LAW FIRM, P.C.

8 /s/ Tanya E. Moore
9 Tanya E. Moore
10 Attorneys for Plaintiff,
11 Cecil Shaw

12 MULLEN & HENZELL L.L.P.

13 /s/ Rafael Gonzalez
14 Rafael Gonzalez
15 Attorneys for Defendants,
16 Black Bear Diner-Tulare L.P. dba Black Bear
17 Diner, Roger Elmerick, and Christine Elmerick

18
19
20
21
22
23
24
25
26
27
28

