| 1        |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|--|
| 2        |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 3        |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 4        |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 5        |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 6        |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 7        | UNITED STATES DISTRICT COURT                                                                                                                                                                                                                                                                                                                                                                              |                                              |  |
| 8        | EASTERN DISTRICT OF CALIFORNIA                                                                                                                                                                                                                                                                                                                                                                            |                                              |  |
| 9        |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 10       | NATIVIDAD GUTIERREZ,                                                                                                                                                                                                                                                                                                                                                                                      | No. 1:14-cv-01027SKO                         |  |
| 11       | Plaintiff,                                                                                                                                                                                                                                                                                                                                                                                                | STIPULATION GRANTING PLAINTIFF               |  |
| 12       | vs.                                                                                                                                                                                                                                                                                                                                                                                                       | LEAVE TO FILE FIRST AMENDED COMPLAINT; ORDER |  |
| 13       |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 14       | AMY ENG LENG dba CHRISTY'S DONUT, ) et al.,                                                                                                                                                                                                                                                                                                                                                               |                                              |  |
| 15       | Defendants.                                                                                                                                                                                                                                                                                                                                                                                               |                                              |  |
| 16<br>17 |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 18       |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 19       | AND RELATED CROSS-CLAIM.                                                                                                                                                                                                                                                                                                                                                                                  |                                              |  |
| 20       |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 21       |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 22       | ("Plaintiff"), and Defendant, Amy Eng Leng dba Christy's Donut ("Defendant," and together with Plaintiff, the "Parties"), the parties who have appeared in this action, through the respective attorneys of record, that Plaintiff may file a First Amended Complaint, a copy of which is attached hereto as Exhibit "A."  IT IS FURTHER STIPULATED that Plaintiff will file his First Amended Complaint. |                                              |  |
| 23       |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 24       |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 25       |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 26       |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 27       |                                                                                                                                                                                                                                                                                                                                                                                                           |                                              |  |
| 28       | within five (5) calendar days of the Court's Order permitting such filing, and that Defendant's                                                                                                                                                                                                                                                                                                           |                                              |  |
|          | STIPULATION GRANTING PLAINTIFF LEAV<br>ORD                                                                                                                                                                                                                                                                                                                                                                |                                              |  |

| 1  | response thereto shall be filed within fourteen (14) days after the First Amended Complaint is   |  |  |
|----|--------------------------------------------------------------------------------------------------|--|--|
| 2  | filed.                                                                                           |  |  |
| 3  | IT IS SO STIPULATED.                                                                             |  |  |
| 4  | Dated: November 12, 2014 MOORE LAW FIRM, P.C.                                                    |  |  |
| 5  |                                                                                                  |  |  |
| 6  | /s/ Tanya E. Moore Tanya E. Moore                                                                |  |  |
| 7  | Attorneys for Plaintiff,                                                                         |  |  |
| 8  | Natividad Gutierrez                                                                              |  |  |
| 9  | CASWELL BELL & HILLISON LLP                                                                      |  |  |
| 10 |                                                                                                  |  |  |
| 11 | /s/ Kimberly L. Mayhew Kimberly L. Mayhew                                                        |  |  |
| 12 | Attorneys for Defendant,                                                                         |  |  |
|    | Amy Eng Leng dba Christy's Donut                                                                 |  |  |
| 13 | OPPER                                                                                            |  |  |
| 14 | <u>ORDER</u>                                                                                     |  |  |
| 15 | The Parties having so stipulated and good cause appearing,                                       |  |  |
| 16 | IT IS HEREBY ORDERED that Plaintiff shall file his First Amended Complaint, a                    |  |  |
| 17 | copy of which was filed with the Parties' stipulation, within five (5) calendar days of the date |  |  |
| 18 | this Order is filed.                                                                             |  |  |
| 19 | IT IS FURTHER ORDERED that a response thereto shall be filed by Defendant Amy                    |  |  |
| 20 | Eng Leng dba Christy's Donut within fourteen (14) days after the First Amended Complaint is      |  |  |
| 21 | filed.                                                                                           |  |  |
| 22 |                                                                                                  |  |  |
| 23 |                                                                                                  |  |  |
| 24 | IT IS SO ORDERED.                                                                                |  |  |
| 25 | Dated: November 19, 2014 /s/ Sheila K. Oberto                                                    |  |  |
| 26 | UNITED STATES MAGISTRATE JUDGE                                                                   |  |  |
| 27 |                                                                                                  |  |  |
| 28 |                                                                                                  |  |  |
|    |                                                                                                  |  |  |
|    | STIPULATION GRANTING PLAINTIFF LEAVE TO FILE FIRST AMENDED COMPLAINT;<br>ORDER                   |  |  |