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

13 RONALD MOORE,
14 Plaintiff,

15 vs.

16 MILLENNIUM ACQUISITIONS, LLC, et al.,
17 Defendants.

) No. 1:14-cv-01402-LJO-SAB

) **STIPULATION GRANTING PLAINTIFF**
) **LEAVE TO FILE FIRST AMENDED**
) **COMPLAINT; ORDER**

18 **WHEREAS**, Plaintiff, Ronald Moore (“Plaintiff”), seeks to amend his complaint to
19 allege additional barriers relating to his disability which were identified at the site inspection of
20 the subject property conducted on January 28, 2015, as permitted by Chapman v. Pier 1
21 Imports (U.S.), Inc., 631 F.3d 939, 944 (9th Cir. 2011), and required by Oliver v. Ralphs
22 Grocery Co., 654 F.3d 903, 909 (9th Cir. 2011);

23 **WHEREAS**, Plaintiff has not unduly delayed the amendment, does not bring it in bad
24 faith, the amendment is not futile, and such amendment does not prejudice Defendants,
25 Millennium Acquisitions, LLC; and Timeless Investments, Inc., dba Arco am/pm #83176
26 (“Defendants”), nor does the amendment in any way change the nature of the action;

27 **WHEREAS**, the amendment will not modify any date or deadline fixed by the Court’s
28 Scheduling Order dated January 21, 2015 (Dkt. 13) pursuant to Fed. R. Civ. P. 16(b)(4);

1 **NOW, THEREFORE, IT IS HEREBY STIPULATED** by and between Plaintiff and
2 Defendants, the parties hereto, through their respective attorneys of record, that Plaintiff may
3 file a First Amended Complaint, a copy of which is attached hereto as Exhibit "A."

4 **IT IS FURTHER STIPULATED** that Plaintiff will file his First Amended Complaint
5 within five (5) calendar days of the Court's Order permitting such filing, and that Defendants'
6 response thereto shall be filed within thirty (30) days after the First Amended Complaint is
7 filed.

8 **IT IS SO STIPULATED.**

9 Dated: March 23, 2015

MOORE LAW FIRM, P.C.

/s/ Tanya E. Moore

Tanya E. Moore

Attorneys for Plaintiff

Ronald Moore

13 Dated: March 23, 2015

YARRA, KHARAZI & CLASON

/s/ H. Ty Kharazi

H. Ty Kharazi

Attorneys for Defendants

Millennium Acquisitions, LLC; and Timeless

Investments, Inc., dba Arco am/pm #83176

17 **ORDER**

18 The Parties having so stipulated and good cause appearing,

19 **IT IS HEREBY ORDERED** that Plaintiff shall file his First Amended Complaint, a
20 copy of which was filed with the Parties' stipulation, within five (5) calendar days of the date
21 this Order is filed.

22 **IT IS FURTHER ORDERED** that Defendants' response thereto shall be filed within
23 thirty (30) days after the First Amended Complaint is filed.

24 **IT IS SO ORDERED.**

25 Dated: March 24, 2015

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28 UNITED STATES MAGISTRATE JUDGE