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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RONALD MOORE,

Plaintiff,

v.

ANN ANDROS, et al.,

Defendants.

Case No. 1:14-cv-01460-SKO

**ORDER GRANTING PLAINTIFF LEAVE
TO FILE FIRST AMENDED
COMPLAINT**

(Doc. 20)

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

WHEREAS, Plaintiff has not unduly delayed the amendment, does not bring it in bad faith, the amendment is not futile, and such amendment does not prejudice Defendants, Ann Andros and California Spaghetti Restaurants, Inc., d/b/a The Old Spaghetti Factory (collectively “Defendants”), nor does the amendment in any way change the nature of the action;

WHEREAS, the amendment will not modify any date or deadline fixed by the Court’s Scheduling Order dated March 23, 2015 (Doc. 18), pursuant to Fed. R. Civ. P. 16(b)(4);

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff and Defendants, the parties hereto, through their respective attorneys of record, that Plaintiff may file a

1 First Amended Complaint, a copy of which is attached hereto as Exhibit "A."

2 IT IS FURTHER STIPULATED that Plaintiff will file his First Amended Complaint
3 within five (5) calendar days of the Court's Order permitting such filing, and that Defendants'
4 response thereto shall be filed within fourteen (14) days after the First Amended Complaint is
5 filed.

6 **ORDER**

7 The Parties having so stipulated and good cause appearing, IT IS HEREBY ORDERED
8 that:

- 9 1. Plaintiff shall file his First Amended Complaint, a copy of which was filed with the
10 Parties' stipulation, within five (5) calendar days of the date this Order is filed;
11 2. Defendants' response shall be filed within fourteen (14) days after the filing of the
12 First Amended Complaint.

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14 IT IS SO ORDERED.

15 Dated: April 3, 2015

16 /s/ Sheila K. Oberto
17 UNITED STATES MAGISTRATE JUDGE

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