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

LAUREN MATHEIN, individually and on )  
behalf of all others similarly situated, )  
  
Plaintiff, )  
  
v. )  
  
PIER 1 IMPORTS, INC.; PIER 1 IMPORTS )  
(U.S.), INC.; and DOES 1 through 10, )  
inclusive, )  
  
Defendants. )  

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Case No. 1: 16-cv-00087-DAD-SAB  
**CLASS ACTION**  
**ORDER RE STIPULATION TO FILE  
FIRSTAMENDED COMPLAINT**  
**(ECF No. 16)**

**STIPULATION**

WHEREAS, on January 20, 2016, Lauren Mathein (“Plaintiff”) filed the Complaint in this matter;  
WHEREAS, Pier 1 Imports (U.S.), Inc. and Pier 1 Imports, Inc. (“Defendants”) filed their Answer on March 14, 2016;  
WHEREAS, a former employee of Defendant Pier 1 Imports (U.S.), Inc. wishes to serve as a second class representative in this matter;

1 WHEREAS, Plaintiff also wishes to add two additional causes of action that derive from the  
2 core factual allegations in this matter; namely, Defendant Pier 1 Imports (U.S.), Inc.'s "Call-In," or  
3 "Flex Shift" scheduling policy;

4 WHEREAS, because Defendants have filed an answer in this matter, Plaintiff may no  
5 longer amend her complaint as a matter of right; and

6 WHEREAS, the parties agree that placing all potential claims relating to Defendant Pier 1  
7 Imports (U.S.), Inc.'s "Call-In" or "Flex Shift" scheduling policy at issue at this time would result  
8 in the most efficient use of the Court's and parties' resources, and would maintain judicial  
9 efficiency.

10 THEREFORE, the parties, through their respective counsel of record, stipulate that:

11 (a) Plaintiff will file the First Amended Complaint, attached hereto as Exhibit A, within  
12 seven (7) days of an order granting this Stipulation; and

13 (b) Defendants will have twenty-eight (28) days from the date Plaintiff files her First  
14 Amended Complaint to file their responsive pleading.

15 **IT IS SO STIPULATED.**

16 DATED: August 30, 2016

**MARLIN & SALTZMAN, LLP**

17 By: /s/ David C. Leimbach  
18 David C. Leimbach  
19 Attorneys for Plaintiff

20 DATED: August 30, 2016

**AKIN GUMP STRAUSS HAUER & FELD LLP**  
21 GREGORY W. KNOPP  
22 GALIT A. KNOTZ  
23 JONATHAN S. CHRISTIE

24 By /s/ Gregory W. Knopp  
25 Gregory W. Knopp  
26 Attorneys for Defendant, Pier 1 Imports, Inc. and  
27 PIER 1 IMPORTS (U.S.), INC.

**ORDER**

28 Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff shall file her First Amended Complaint within seven (7) calendar days of

1 the date this Order is filed; and

- 2 2. Defendants' response thereto shall be filed within twenty-eight (28) days after the  
3 First Amended Complaint is filed.

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6 IT IS SO ORDERED.

7 Dated: September 2, 2016



UNITED STATES MAGISTRATE JUDGE

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