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15 UNITED STATES DISTRICT COURT  
16 EASTERN DISTRICT OF CALIFORNIA  
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19 STEVEN VILLARREAL, AGUSTIN  
BENITEZ, and CARLOS MORALES, on  
20 behalf of themselves and all others  
similarly situated,

21 Plaintiffs,

22 vs.

23 PERFECTION PET FOODS, LLC, a  
24 California limited liability company,

25 Defendants.  
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Case No. 1:16-cv-01661-LJO-EPG

**STIPULATION AND ORDER RE:  
COMPLAINT/FIRST AMENDED  
COMPLAINT AND RESPONSE TO SAME**

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I.

**STIPULATION**

Plaintiffs STEVEN VILLARREAL, AGUSTIN BENITEZ, and CARLOS MORALES collectively, "Plaintiffs") and Defendant PERFECTION PET FOODS, LLC ("Defendant") hereby agree as follows:

1. Plaintiffs filed the complaint in this case on November 2, 2016 (the "Complaint") and notified the Labor and Workforce Development Agency ("LWDA") of their claims on the same day.

2. If the LWDA does not notify Plaintiffs of its decision to investigate Plaintiffs' claims on or before January 6, 2016, Plaintiffs intend to file a First Amended Complaint ("FAC") to include Private Attorney General Act claims and penalties. California Labor Code section 2699.3(a)(C) grants Plaintiffs the right to amend the Complaint if the LWDA does not notify Plaintiffs of its intent to investigate.

3. Defendant agrees that Plaintiffs may file a FAC on or before January 10, 2017 to include such claims and penalties.

4. While Plaintiffs previously served the Complaint on Defendant, the parties agree that since the FAC may be filed, it makes sense to continue the deadline for Defendant to respond to the Complaint. In the event the FAC is filed, the parties agree that Defendant will simply respond to that pleading. In the event the FAC is not filed, Defendant will respond to the Complaint.

4. Accordingly, the parties agree to continue Defendant's deadline to respond to the Complaint to January 24, 2017. In the event the FAC is filed, Defendant will file a response to the pleading on or before January 24, 2017. In the event the FAC is not filed, Defendant will file a response to that pleading on or before January 24, 2017.



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**ORDER**

Based upon the foregoing stipulation and good cause appearing, Plaintiffs may file a FAC on or before January 10, 2017, and Defendant's deadline to respond to the Complaint is extended to January 24, 2017.

IT IS SO ORDERED.

Dated: December 12, 2016

/s/ Eric P. Groj  
UNITED STATES MAGISTRATE JUDGE