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16 **Attorneys for Plaintiff, VTAIL, LLC**

17 UNITED STATES DISTRICT COURT
18 EASTERN DISTRICT OF CALIFORNIA

19 VTAIL, LLC, a Limited Liability Company,)	Case No.: 1:18-CV-00339-DAD-JLT
)	
20 Plaintiff,)	STIPULATION AND ORDER RE:
)	FILING OF FIRST AMENDED
21 vs.)	COMPLAINT
)	
22 GOLDEN CORRAL, INC., a North Carolina)	(Doc. 8)
23 corporation conducting business in Kern)	
24 County, California; DARRYL WEBB, an)	
25 individual; TELLY SMITH, an individual;)	
26 and DOES 1-20, inclusive,)	
)	
27 Defendants.)	
)	

28 IT IS HEREBY STIPULATED, by and between the parties to this action, by their respective attorneys, its form and content being hereby approved. This Stipulation is made with reference to the following facts:

1. Plaintiff, VTAIL, LLC (hereinafter "Plaintiff"), wishes to amend its Complaint that was filed in the Superior Court of California, Kern County, on February 2, 2018, and will include a Negligent Misrepresentation cause of action in its First

1 Amended Complaint. Plaintiff intended to file its First Amended Complaint in the
2 Superior Court of California, Kern County, but this action was removed by the
3 Defendants on March 8, 2018, prior to Plaintiff amending its Complaint.

4 2. Defendants, GOLDEN CORRAL, INC., aka GOLDEN CORRAL
5 CORPORATION, DARRYL WEBB, and TELLY SMITH (hereinafter "Defendants"),
6 through their respective counsel, hereby agree to allow Plaintiff time to amend its
7 Complaint and file a First Amended Complaint.

8 3. By their signatures below, the Defendants consent to Plaintiff amending
9 its Complaint, and counsel respectfully request that Plaintiff be allowed to file its First
10 Amended Complaint pursuant to Federal Rules of Civil Procedure, Rule 15(B)(2).

11 4. Pursuant to the agreement of the parties, counsel for the parties hereby
12 stipulate to and request the Court to enter the Order that follows.

13
14 ROGERS, SHEFFIELD & CAMPBELL, LLP

15
16 DATED: March ____, 2018

17 By: _____
18 Jason W. Wansor, Esq.
19 G. Michael Brelje, Esq.
20 Attorneys for Plaintiff VTAIL, LLC

21
22 LEWIS BRISBOIS BISGAARD & SMITH, LLP

23
24 DATED: March ____, 2018

25 By: _____
26 Garth N. Ward, Esq.
27 Attorneys for Defendants GOLDEN CORRAL,
28 INC., aka GOLDEN CORRAL
CORPORATION, DARRYL WEBB, and
TELLY SMITH

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ORDER

Based upon the foregoing stipulation, the Court **ORDERS**:

1. Plaintiff shall file its First Amended Complaint within three court days.

IT IS SO ORDERED.

Dated: March 22, 2018

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE