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11 **UNITED STATES DISTRICT COURT**

12 **EASTERN DISTRICT OF CALIFORNIA**

13 MARVIN LAKE and JUAN  
14 GUTIERREZ, individually and on  
15 behalf of themselves and all others  
16 similarly situated,

17 Plaintiff,

18 v.

19 IRISH CONSTRUCTION AND  
20 IRISH COMMUNICATION  
21 COMPANY (ICC), AT & T and  
22 DOES 1-750,

23 Defendants.

**CLASS ACTION**

**Case No.: 2:08-CV-02661-JAM-KJM**

**STIPULATION TO AMEND  
COMPLAINT**

24 Pursuant to Fed. R. Civ. Pro. 15(a)(2) IT IS HEREBY STIPULATED by and  
25 between the parties hereto through their respective attorneys of record that Plaintiffs  
26 may file an Amended Complaint in *Marvin Lake and Juan Gutierrez et al. v. Irish  
27 Construction and Irish Communication Co.* Case No. 2:08-CV-02661-JAM-KJM, a  
28 copy of which is attached hereto.

IT IS FURTHER STIPULATED that the Defendant waives notice and  
service of the amended complaint and shall not be required to answer the  
amendment, and that all denials, responses and affirmative defenses contained in the

