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7	Attorney for Plaintiffs		
8			
9	UNITED STATES DISTRICT COURT		
10			
11	EASTERN DISTRICT OF CALIFORNIA		
12	MARVIN LAKE and JUAN GUTIERREZ, individually and on behalf of themselves and all others similarly situated,	<u>CLASS ACTION</u>	
13		Case No.: 2:08-CV-02661-JAM-KJM	
14	Plaintiff,	STIPULATION TO AMEND COMPLAINT	
15	V.	3 3 3 3 3 3 3 3 3 3	
16	IRISH CONSTRUCTION AND		
17	IRISH COMMUNICATION		
18	COMPANY (ICC), AT & T and DOES 1-750,		
19	Defendants.		
20			
21	Pursuant to Fed. R. Civ. Pro. 15(a)(2) IT IS HEREBY STIPULATED by and		
22	between the parties hereto through their respective attorneys of record that Plaintiffs		
23	may file an Amended Complaint in <i>Marvin Lake and Juan Gutierrez et al. v. Irish</i>		
24	Construction and Irish Communication Co. Case No. 2:08-CV-02661-JAM-KJM, a		
25	copy of which is attached hereto.		
26	IT IS FURTHER STIPULATED that the Defendant waives notice and		
27	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		
28	amonument, and that an demais, respo-	noes and arminative detenses contained in the	

1	answer filed by Defendant to the original complaint shall be responsive to the			
2	amended complaint.			
3	3			
4	Dated: February 9, 2009 ATKINSON, ROMO	ANDERSON, LOYA, RUUD &		
5				
6	6 By:	/c/		
7	7 SCOTT D	AUSCHER @aalrr.com)		
8	8 Attorneys	@aalrr.com) for Defendant		
9	9			
10	Dated: February 9, 2009 LAW OFFICE	ES OF ELLYN MOSCOWITZ,		
11				
12				
13	ELLYN M	/s/ OSCOWITZ		
14 15	(emoscowi Attorney fo	tz@moscowitzlaw.com) or Plaintiffs		
16	IT IS HEDERY ORDERED, as the parties have stipulated, that Plaintiffs'			
17	TI IS TIERED I ORDERED, as the parties have	IT IS HEREBY ORDERED, as the parties have stipulated, that Plaintiffs' First Amended Complaint in <i>Marvin Lake and Juan Gutierrez et al. v. Irish</i>		
18	•	Construction and Irish Communication Co. Case No. 2:08-CV-02661-JAM-KJM, a		
19		copy of which is attached hereto, is deemed filed and served.		
20	20			
21	21			
22	Dated: February 9, 2009	andog		
23	23 JOHN A. ME			
24	US District Co	ourt		
25	25			
26	26			
27	27			
28	28			
	- 2 -			