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UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA

JANA HOWELL,  
 Plaintiff  
 v.  
 INGRAM ENTERTAINMENT,  
 INC./DBI BEVERAGE, INC., a  
 Tennessee Corporation doing Business in  
 the State of California as INGRAM  
 ENTERTAINMENT, INC./DBI  
 BEVERAGE, INC.,  
 Defendant.

Case No. 2:10-CV-00129-JAM-EFB  
**STIPULATION TO FILE FIRST  
 AMENDED COMPLAINT**

1           **IT IS HEREBY STIPULATED** by and between the parties, through their respective  
2 counsel of records, that 1.) Plaintiff Janna Howell may file a First Amended Complaint in this  
3 matter, and 2.) by stipulating to the filing of a First Amended Complaint, Defendants have not  
4 waived and shall not be estopped to assert or allege any and all defenses Defendants may have to the  
5 First Amended Complaint.

6 Dated: June 28, 2010

PERKINS & ASSOCIATES

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9 By: /s/ Robin K. Perkins

10 Robin K. Perkins  
11 Attorneys for Plaintiff  
12 Jana Howell

13 Dated: June 25, 2010

JACKSON LEWIS LLP

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15 By: /s/ Robert J. Schnack

16 Robert J. Schnack  
17 Attorneys for Defendants  
18 Ingram Entertainment, Inc./  
19 DBI Beverage, Inc.

20           Based on the foregoing stipulation, and otherwise finding good cause therefore, IT IS  
21 HEREBY ORDERED that 1.) Plaintiff Janna Howell may file a First Amended Complaint in this  
22 matter, and 2.) Defendants have not waived and are not estopped to assert or allege any and all  
23 defenses Defendants may have to the First Amended Complaint.

24           **IT IS HEREBY ORDERED.**

25 Dated: June 28, 2010

26  
27 /s/ John A. Mendez

28 John A. Mendez  
United States District Judge