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 15 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF CALIFORNIA
 16 **SACRAMENTO**

18 **ROBERT SEGALMAN**

19 **Plaintiff,**

21 v.

22 **SOUTHWEST AIRLINES; and DOES 1**

23 **through 10, Inclusive**

25 **Defendants.**

Case No. 11-cv-01800-MCE - CKD

20 **STIPULATION AND ORDER**
REGARDING FILING OF THIRD
AMENDED COMPLAINT AND TIME
TO FILE MOTION TO DISMISS
THIRD AMENDED COMPLAINT

1 The parties previously met and conferred regarding the preparation of a joint status
2 report, including addressing Plaintiff's intention to file an amended complaint and Southwest
3 Airlines Co.'s intent to challenge the complaint by way of a motion to dismiss. The parties'
4 agreement was reflected in the joint status report submitted by the parties on June 18, 2015
5 (Docket No. 46), as follows:

6 "Plaintiff will seek leave to file or otherwise submit a stipulation of the parties to file a
7 Third Amended Complaint in light of the Ninth Circuit's decision of May 13, 2015. Southwest
8 stipulates to Plaintiff filing an amended complaint provided that Southwest is provided with a
9 reasonable time to challenge the amended complaint by way of a motion to dismiss.

10 The parties propose the following time-line in this regard:

11 Plaintiff to file his Third Amended Complaint on or before July 31, 2015

12 Southwest to file its Motion to Dismiss on or before September 18, 2015."

13 On July 31, 2015, Plaintiff filed his Third Amended Complaint (Docket No. 47). As
14 previously represented, Southwest stipulates to Plaintiff filing the amended complaint provided
15 that Southwest is provided with reasonable time to challenge the amended complaint by way of a
16 motion to dismiss.

17 The parties agree that a deadline of September 18, 2015 is reasonable for the filing of
18 Southwest's motion to dismiss.

19 IT IS SO STIPULATED.

20 DATED: August 3, 2015

LAW OFFICES OF DAVID C. WAKEFIELD

21
22 By: /s/ David C. Wakefield
23 DAVID C. WAKEFIELD, Esq.
Attorneys for Plaintiff

24 DATED: August 3, 2015

RYAN LAW GROUP

25
26 By: /s/ Rebekka R. Martorano
27 REBEKKA R. MARTORANO, Esq.
Attorneys for Defendant Southwest Airlines Co.

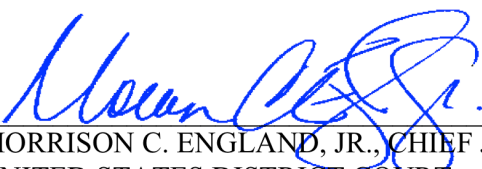
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**STIPULATION AND ORDER REGARDING FILING OF THIRD AMENDED COMPLAINT AND TIME
TO FILE MOTION TO DISMISS THIRD AMENDED COMPLAINT**

ORDER

Pursuant to the stipulation of the parties and good cause appearing, Plaintiff's request to file a Third Amended Complaint is hereby granted. Southwest shall have until September 18, 2015 to file a motion to dismiss the Third Amended Complaint or otherwise respond to the complaint.

IT IS SO ORDERED.

Dated: August 10, 2015


MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT