

1 PETER F. SAMUEL, Bar No. 072503  
2 SAMUEL and SAMUEL  
3 5050 Sunrise Boulevard, Suite C-1  
4 Fair Oaks, CA 95628  
5 Telephone: (916) 966-4722  
6 Facsimile: (916) 962-2219  
7 e-mail: pfs@samuellaw.com

8 Attorneys for Plaintiff,  
9 ANTHONY AGUIAR, individually,  
10 and on behalf of all others similarly  
11 situated

12 UNITED STATES DISTRICT COURT  
13 EASTERN DISTRICT OF CALIFORNIA

14 ANTHONY AGUIAR, individually, and on  
15 behalf of all others similarly situated,

16 Plaintiffs,

17 v.

18 CALIFORNIA SIERRA EXPRESS, INC., a  
19 Nevada corporation,

20 Defendants.

**FILED**

**JAN 26 2012**

**CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**BY \_\_\_\_\_  
DEPUTY CLERK**

CASE NO. 2:11-cv-02827-JAM-GGH

*JAM*  
~~PROPOSED~~ ORDER FOR FILING OF  
AMENDED COMPLAINT AND  
EXTENSION OF TIME FOR  
DEFENDANT TO RESPOND TO  
AMENDED COMPLAINT; VACATING  
DEFENDANT'S PENDING MOTION TO  
DISMISS AND MOTION TO STRIKE  
CLASS ALLEGATIONS

21  
22 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT Plaintiff file an  
23 Amended Complaint.

24 IT IS FURTHER ORDERED that Defendant shall have 28 days from the date of Plaintiff  
25 filing his Amended Complaint to file a response to the Amended Complaint.  
26

1 IT IS FURTHER ORDERED that, upon Plaintiff filing his Amended Complaint,  
2 Defendant's Motion to Dismiss Plaintiff's Individual Claims and Motion to Strike Class  
3 Allegations and Request for Injunctive Relief will be deemed withdrawn without prejudice to any  
4 motions or arguments Defendant wishes to make against the Amended Complaint. Defendant's  
5 original motions currently scheduled to be heard on February 8, 2012 at 9:30 a.m. in Courtroom 6  
6 by Hon. John A. Mendez are vacated.  
7

8 DATE: January 25, 2012

9 HON. JOHN A. MENDEZ

10 UNITED STATES DISTRICT JUDGE

11  
12 By:   
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27