UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROBERT MROTZ, PATRICIA HAMAN

Plaintiffs,

v.

NATIONAL RAILROAD PASSENGER CORPORATION, dba AMTRAK; UNION PACIFIC RAILROAD COMPANY and DOES 1 to 100

Defendants.

/

Case. No. 2:14-cv-01271-JAM-CKD

STIPULATION AND ORDER JOINING ROGER HAMAN AS A PLAINTIFF

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Plaintiffs, ROBERT MROTZ and PATRICIA HAMAN, and Defendants, the NATIONAL RAILROAD PASSENGER CORPORATION, doing business as AMTRAK (hereinafter "AMTRAK") and UNION PACIFIC RAILROAD COMPANY (hereinafter "UPRR"), by and thorough their respective attorneys, and jointly stipulate as follows:

1. Pursuant to California Code of Civil Procedure § 377.60, ROBERT MROTZ, as the legal spouse and heir of Andrea Mrotz, and PATRICIA HAMAN, as the

legal natural parent and heir of Andrea Mrotz, have asserted this civil action against defendants;

2. Although not a party to this action, Roger Haman, as the legal adoptive parent and heir of Andrea Mrotz, elected not to participate in this civil action, although entitled to so appear California Code of Civil Procedure § 377.60;

3. Defendants assert a right to avail themselves of the 'one action rule' and thereby require that Roger Haman be joined in this action as an indispensable party under Federal Rules of Civil Procedure, Rule 11;

4. The parties have met and conferred on the above issue, and have reached a resolution thereof;

5. The parties have agreed that Roger Haman be joined in this action as a plaintiff;

6. That the joinder of Roger Haman is conditioned upon Roger Haman's intent and promise to, after his joinder is effectuated, file a dismissal of the action on his behalf, with prejudice, as to all defendants on all causes of action, with the parties to bear their own cost of suit;

7. The Answers of AMTRAK and UPRR to the Complaint shall be deemed responses to the claims of Roger Haman in this action, without the need for the filing of further Answers; and,

8. Counsel for plaintiffs, Gregory J. Brod, represents Roger Haman, and has secured his consent and agreement to the above.

DATED: March 11, 2015

BROD LAW FIRM, PC.

By _____
GREGORY J. BROD, ESQ.
Attorneys for plaintiffs
ROBERT MROTZ and
PATRICIA HAMAN

DATED: March 13, 2015

FLESHER McKAGUE LLP

By: _____
JACOB D. FLESHER, ESQ.
JEREMY J. SCHROEDER, ESQ.
Attorneys for defendants,
NATIONAL RAILROAD PASSENGER CORPORATION dba AMTRAK, and
UNION PACIFIC RAILROAD COMPANY

ORDER

IT IS HEREBY ORDERED THAT Roger Haman, as an indispensable party under Rule 11, is by this Order joined in this action as a plaintiff. Defendants having already appeared in this action need not file further Answers to the Complaint, as their Answers already on file are deemed Answers to Roger Haman's claims in this action.

3-16-2015

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JUDGE OF THE U.S. DISTRICT COURT