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9 Attorneys for Plaintiff
10 ANGELA RAMOS

11 **UNITED STATES DISTRICT COURT**

12 **EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION**

13 ANGELA RAMOS, an individual;

14 Plaintiff,

15 v.

16 LOS RIOS COMMUNITY COLLEGE
17 DISTRICT, a public entity; THOMAS
18 KLOSTER dba METRO-MATH TUTORING
19 SERVICES, a company, THOMAS
20 KLOSTER, an individual; DOES 1-50,
21 inclusive,

22 Defendants.

Case No.: 2:17-cv-01458-WBS-KJN

**STIPULATION AND [Proposed] ORDER
TO ALLOW PLAINTIFF TO FILE FIRST
AMENDED COMPLAINT**

23 Defendant LOS RIOS COMMUNITY COLLEGE DISTRICT and Plaintiff ANGELA
24 RAMOS hereby stipulate to allow Plaintiff to file her First Amended Complaint, without a
25 noticed motion or hearing, and that it be deemed filed and served as of the date of the signing of
26 this Order.

27 The parties hereby stipulate to the following changes:

- 28 1. Pursuant to Local Rule 143 (Fed. R. Civ. P. 83), Plaintiff hereby submits this
Stipulation and [Proposed] Order to File First Amended Complaint and her
[Proposed] First Amended Complaint.

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- 2. Pursuant to the Court’s January 29, 2018 Memorandum and Order Re: Motion to Dismiss State Law Claims, granting Defendant’s motion to dismiss Plaintiff’s state law claims under the California Equity in Higher Education Act, Cal. Educ. § 66270, California Civil Code § 51.9, negligence and intentional infliction of emotional distress, Plaintiff amended her Complaint to remove her claims for violation of California Civil Code § 51.9, negligence, and intentional infliction of emotional distress against Los Rios Community College District.
- 3. Plaintiff further amended her Complaint to include a claim for violation of California Equity in Higher Education Act, Cal. Educ. § 66270, pursuant to agreement of the parties and counsels’ discussion with the Court at its Status (Pretrial Scheduling) Conference on February 12, 2018, regarding the standard of proof for violation of Cal. Educ. Code § 66270 being the same as that of Title IX, 20 U.S.C. § 1681(a).
- 4. Finally, Plaintiff amended her Prayer for Damages to remove her prayer for punitive damages against Los Rios Community College District, as Defendant is a public entity.

IT IS SO STIPULATED.

DATED: February 15, 2018

JOHNSON SCHACHTER & LEWIS
A Professional Law Corporation

By: /s/ Jason M. Sherman
ALESA SCHACHTER
JASON M. SHERMAN
Attorneys for Defendant
LOS RIOS COMMUNITY
COLLEGE DISTRICT

DATED: February 15, 2018

WINER, McKENNA & BURRITT, LLP

By: /s/ Elana R. Jacobs
Alexis S. McKenna
Elana R. Jacobs
Attorneys for Plaintiff
ANGELA RAMOS

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IT IS SO ORDERED.

Dated: February 16, 2018



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE