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8 ATTORNEY FOR PLAINTIFF  
 9 JOHN HATZIS

10 UNITED STATES DISTRICT COURT  
 11 EASTERN DISTRICT OF CALIFORNIA

12 JOHN HATZIS,

13 Plaintiff,

14 vs.

15 FEDEX GROUND PACKAGE SYSTEM,  
 16 INC., a Delaware corporation,

17 Defendant.

Case No.: 2:17-CV-01645-JAM-KJN

18 **STIPULATION AND ORDER**  
 19 **REGARDING PLAINTIFF'S FIRST**  
 20 **AMENDED COMPLAINT**  
 21 [FRCP 15(a)(2)]

1 Plaintiff JOHN HATZIS and Defendants FEDEX GROUND PACKAGE SYSTEM,  
2 INC., and GARY JORDAN, by and through their attorneys of records, hereby stipulate and  
3 agree as follows:

4 1. On August 15, 2017, Defendants filed a Motion to Dismiss the Complaint  
5 [Docket No. 5] pursuant to FRCP 12(b)(6), which initially was set for hearing on October 17,  
6 2017;

7 2. On October 3, 2017, the District Court issued a minute order [Docket No. 7]  
8 dismissing Defendants' Motion to Dismiss, without prejudice;

9 3. After receiving the District Court's October 3, 2017 minute order, counsel for  
10 both parties met and conferred regarding the alleged issues identified in Defendants' Motion to  
11 Dismiss the Complaint.  
12

13 4. Plaintiff's counsel proposed a First Amended Complaint (attached hereto as  
14 Exhibit A) to counsel for Defendants that Plaintiff's counsel contends addresses the issues  
15 identified in Defendants' Motion to Dismiss the Complaint.

16 5. After reviewing the proposed First Amended Complaint, counsel for Defendants  
17 agreed that Plaintiff JOHN HATZIS may file the First Amended Complaint with the District  
18 Court.

19 6. Defendants shall have thirty (30) days from the filing and service of the First  
20 Amended Complaint to file a responsive pleading to the First Amended Complaint

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1           Accordingly, the parties stipulate and request an order from the District Court  
2 permitting Plaintiff JOHN HATZIS to file the First Amended Complaint pursuant to FRCP  
3 15(a)(2).

4           **IT IS SO STIPULATED.**

5 DATED: November 22, 2017

RUGGLES LAW FIRM

6  
7           By:           /s/ Matthew J. Ruggles            
8                       MATTHEW J. RUGGLES  
9                       Attorney for Plaintiff  
                      JOHN HATZIS

10  
11 DATED: November 22, 2017

SCHIFF HARDIN LLP

12  
13           By:           /s/ William J. Carroll (authorized 11/22/2017)            
14                       WILLIAM J. CARROLL  
15                       MATTHEW W. CALLAHAN  
16                       Attorney for Defendants  
17                       FEDEX GROUND PACKAGE SYSTEM,  
                      INC. and GARY JORDAN

18           **IT IS SO ORDERED.**

19 DATED: November 28, 2017

20           /s/ JOHN A. MENDEZ  
                      UNITED STATES DISTRICT COURT JUDGE