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 EMPLOYEES ASSOCIATION and
 7 CALIFORNIA STATE UNIVERSITY
 EMPLOYEES UNION

8 **UNITED STATES DISTRICT COURT**
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 10 **EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION**

11 THOMAS DIMITRE,
 12 Plaintiff,
 13 v.
 14 CALIFORNIA STATE UNIVERSITY
 EMPLOYEES UNION, et al.,
 15 Defendants.
 16

Case No. 2:17-CV-01698-KJM-DB
**STIPULATION RE FILING OF SECOND
 AMENDED COMPLAINT AND ORDER
 THEREON**
 The Hon. Kimberly J. Mueller, Dept. 3
 Action Filed: August 15, 2017
 Trial Date: None set.

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1 WHEREAS, this action was initiated with the filing of a Complaint by the Plaintiff on or
2 about August 15, 2017; and

3 WHEREAS, prior to serving the Complaint on the Defendants, the Plaintiff filed a First
4 Amended Complaint, and served both the Complaint and First Amended Complaint on Defendants
5 California State Employees Association (“CSEA”) and California State University Employees
6 Union (“CSUEU”) on October 24, 2017; and

7 WHEREAS, the parties stipulated to an extension of time for Defendants CSEA and
8 CSUEU to respond to the Complaint and First Amended Complaint to November 29, 2017; and

9 WHEREAS, on November 14, 2017, Defendants sent a meet and confer letter to the
10 Plaintiff requesting that the Plaintiff voluntarily agree to amend the Complaint relating to certain
11 alleged deficiencies in the First Amended Complaint; and

12 WHEREAS, Plaintiff has agreed to voluntarily prepare a Second Amended Complaint; and

13 WHEREAS, since the Complaint has already been amended once as a matter of course, it
14 is necessary to obtain an order permitting the filing and service of a Second Amended Complaint;
15 and

16 WHEREAS, to give the Defendants sufficient time to review the Second Amended
17 Complaint with respect to its pleading sufficiency and to draft an appropriate response;

18 IT IS HEREBY STIPULATED AND AGREED, AND AN ORDER IS REQUESTED BY
19 THE COURT as follows:

20 1. That leave be granted to permit Plaintiff to file and serve a Second Amended
21 Complaint on or before November 29, 2017; and

22 2. Defendants CSEA and CSUEU shall have 21 days from the date of service within
23 which to respond to the Second Amended Complaint.

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Dated: November 22, 2017

By /s/ Thomas Dimitre
Thomas Dimitre
Plaintiff

I hereby agree to the terms of this Stipulation.

I hereby agree to the terms of this Stipulation.

Dated: November 22, 2017

MESSING ADAM & JASMINE LLP

By /s/ James W. Henderson, Jr.
Jason H Jasmine
James W. Henderson, Jr.
Attorneys for Defendants CALIFORNIA STATE
EMPLOYEES ASSOCIATION and CALIFORNIA
STATE UNIVERSITY EMPLOYEES UNION

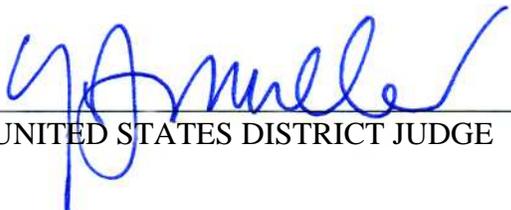
ORDER

The parties having so stipulated and good cause appearing therefore, IT IS HEREBY ORDERED:

1. Plaintiff is granted leave to file and serve a Second Amended Complaint on or before November 29, 2017;

2. Defendants CSEA and CSUEU shall have 21 days from the date of service within which to respond to the Second Amended Complaint.

DATED: November 28, 2017.


UNITED STATES DISTRICT JUDGE