MICHAEL VON LOEWENFELDT (178665) E-mail: mvl@kerrwagstaffe.com MICHAEL NG (237915) E-mail: mng@kerrwagstaffe.com 3 JACQUELINE SCOTT CORLEY (173752) E-mail: corley@kerrwagstaffe.com KERR & WAGSTAFFE LLP 100 Spear Street, Suite 1800 5 San Francisco, CA 94105–1528 Telephone: (415) 371-8500 6 Fax: (415) 371-0500 Daniel L. Feder (130867) E-mail: danfeder@pacbell.net 8 LAW OFFICES OF DANIEL FEDER 807 Montgomery Street San Francisco, CA 94133 Telephone: (415) 391-9476 10 Fax: (415) 391-9432 Attorneys for 11 PAUL BIBO, GEORGIA SHIELDS, ALEX GALVEZ, MARC GARVEY, BRYAN PETER, on 12 behalf of all other similarly situated 13 14 UNITED STATES DISTRICT COURT 15 NORTHERN DISTRICT OF CALIFORNIA 16 PAUL BIBO, an individual, GEORGIA Case No. C 07-02505 TEH SHIELDS, an individual, ALEX GALVEZ, an 17 STIPULATION AND [PROPOSED] individual, MARC GARVEY, an individual, ORDER ALLOWING FILING OF and BRYAN PETER, an individual. 18 SECOND AMENDED COMPLAINT individually and on behalf of all other similarly situated, 19 20 Plaintiffs, 21 v. 22 FEDERAL EXPRESS INC., a Delaware Corporation, and DOES 1-500, inclusive, 23 24 Defendants. 25 26 27 28 KERR Case No. C 07-02505 TEH STIPULATION AND [PROPOSED] ORDER ALLOWING A G S T A F F E

FILING OF SECOND AMENDED COMPLAINT

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Bibo et al v. Federal Express Inc.

1 **STIPULATION** 2 WHEREAS, by Order filed April 26, 2010 the Court denied Plaintiffs' Motion for Leave 3 to Amend the Complaint to add an Eighth Cause of Action for violation of Industrial Wage 4 Commission Wage Order No. 9, section 5(B), but granted Plaintiffs leave to amend the 5 complaint to (1) remove the three dismissed plaintiffs, and (2) change the caption to reflect that 6 the case is pending in the Northern District of California; WHEREAS, the Court gave Plaintiffs until May 3, 2010 to file the amended complaint; 7 8 WHEREAS, Plaintiffs' counsel inadvertently neglected to file the amended complaint; 9 and 10 WHEREAS, Defendant has agreed to the filing of the Second Amended Complaint to 11 reflect the current status of the action. ACCORDINGLY, IT IS HEREBY STIPULATED THAT the Second Amended 12 13 Complaint attached as Exhibit A shall be filed. 14 DATED: June 10, 2010 KERR & WAGSTAFFE LLP By ____s/ 15 JACQUELINE SCOTT CORLEY 16 Attorneys for 17 PAUL BIBO, GEORGIA SHIELDS, ALEX GALVEZ, MARC GARVEY, BRYAN PETER, on 18 behalf of all other similarly situated 19 DATED: June 10, 2010 FEDERAL EXPRESS CORPORATION 20 21 By ____s/__ SANDRA C. ISOM 22 Attorney for 23 FEDERAL EXPRESS CORPORATION 24 25 26 27 28 -1-

W A G S T A F F E

Case No. C 07-02505 TEH

TROPOSED ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the Second Amended Complaint attached as Exhibit A shall be filed.

5 | IT IS SO ORDERED.

7 DATED: ____06/10/10

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Case No. C 07-02505 TEH

W A G S T A F F E

THELE ON E. HENI
UNITED FOR

Judge Thelton E. Henderson

1	I, Jacqueline Scott Corley, am the ECF User whose ID and password are being used to	
2	file this Stipulation and [Proposed] Order. In compliance with General Order 45, X.B., I hereby	
3	attest that Sandra C. Isom, Counsel for Defendant, has concurred in this filing.	
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5	DATED: June 10, 2010	KERR & WAGSTAFFE LLP
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7	By	JACQUELINE SCOTT CORLEY
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