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14 Attorneys for Defendant
 JENNIFER CONVERTIBLES, INC.

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

18 AYISHA COMBS, individually and
 19 on behalf of al others similarly
 20 situated,

21 Plaintiff,

22 v.

23 JENNIFER CONVERTIBLES,
 INC., a Delaware corporation,

24 Defendant.

Case No. CV 09-03242 SI

**[PROPOSED] ORDER FOR LEAVE
 FOR PLAINTIFF TO FILE A FIRST
 AMENDED COMPLAINT**

Complaint Filed: July 16, 2009
 Trial: N/A

*Assigned for all purposes to the
 Honorable Susan Illston*

1 WHEREAS, on July 16, 2009, Plaintiff gave written notice by certified mail
2 to the Labor and Workforce Development Agency and Defendant of the specific
3 provisions of the California Labor Code alleged to have been violated, including the
4 facts and theories specified in the Complaint, filed July 16, 2009.

5 WHEREAS, on August 11, 2009, the Labor and Workforce Development
6 Agency sent a certified letter specifying that they were not going pursue the matter.
7 A true and correct copy of the August 11, 2009, letter is attached hereto as Exhibit
8 1.

9 WHEREAS, Cal. Lab. Code section 2699.3(a)(2)(C) indicates that Plaintiff
10 “may as a matter of right amend [the] existing complaint to add a cause of action
11 arising under [the Labor Code Private Attorneys General Act (“PAGA”).”

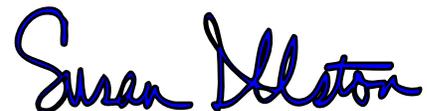
12 WHEREAS, the proposed First Amended Complaint attached hereto as Exhibit 2
13 has been amended to incorporate a cause of action in accordance with Cal. Lab.
14 Code § 2699 and no other amendments have been made to the original Complaint
15 filed.

16 NOW, THEREFORE:

- 17 1) The First Amended Complaint attached hereto as Exhibit 2 shall be
18 deemed filed as of the day the Court Executes this Order.
19 2) Defendant shall have twenty (20) days here from in which to
20 respond to the First Amended Complaint.

21
22 **IT IS HEREBY ORDERED:**

23
24 DATED: _____



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The Hon. Susan Illston