

1 THE LANIER LAW FIRM, P.C.
 2 Christopher D. Banys SBN: 230038
 3 cdb@lanierlawfirm.com
 4 Carmen M. Aviles SBN: 251993
 5 cma@lanierlawfirm.com
 6 2200 Geng Road, Suite 200
 7 Palo Alto, CA 94303
 8 Telephone: (650) 322-9100
 9 Facsimile: (650) 322-9103

10 Attorneys for Plaintiff
 11 ARCHIE LEE GATES

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 ARCHIE LEE GATES,

Case No. 3:10-CV-00972 BZ

16 Plaintiff,

17 v.

**STIPULATION FOR FILING AMENDED
 COMPLAINT**

18 CARQUEST CORPORATION,

19 Defendant.

20 IT IS HEREBY STIPULATED by and between the parties hereto through their respective
 21 attorneys of record that Archie Gates may file a First Amended Complaint (“FAC”), a copy of
 22 which is attached hereto.

23 IT IS FURTHER STIPULATED:

24 (a) that Defendants waive notice and service of the FAC;

25 (b) that CARQUEST has represented that Golden State Supply LLC (“GSS”) is a
 26 proper party;

27 (c) that Gates has agreed to add GSS as a party based on CARQUEST's
 28 representations;

(d) that Gates agrees to add GSS as a defendant at CARQUEST's request to proceed
 with a mediation with Kerry Gough;

STIPULATION FOR FILING AMENDED
 COMPLAINT

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(e) if the mediation does not settle the action, GSS will file an answer to the FAC within twenty (20) days of completion of the mediation.

DATED: September 15, 2010

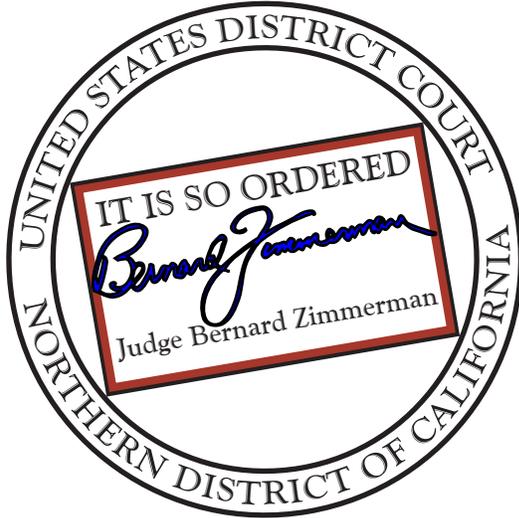
By: /s/ Christopher D. Banys
Christopher D. Banys

Attorney for Plaintiff
ARCHIE LEE GATES

DATED: September 15, 2010

By: /s/ David I. Dalby
David I. Dalby

Attorney for Defendant
CARQUEST CORPORATION



DATED: 9/15/2010