

E-Filed 2/10/11

1 Edward C. Casey Jr. CSB: 123702
2 Law Offices of Edward C. Casey, Jr.
3 300 Frank H. Ogawa Plaza, Suite 370
Oakland, California 94612
Telephone: 510.251.2300

4 Attorneys for Plaintiff
5 EMILE MUNSON

6 UNITED STATES DISTRICT COURT

7
8 NORTHERN DISTRICT OF CALIFORNIA

10	EMILE MUNSON,)	Case No. C-10-03257 RS
11	Plaintiff,)	
12	v.)	STIPULATION TO ALLOW
13)	FILING OF AMENDED COMPLAINT
14	ZODIAC MARITIME AGENCIES)	NAMING "ISOAC NAVIGATION No 2 S.A."
15	LTD. and DOES 1 to 20,)	AS DEFENDANT
16	Defendants.)	

17 1. Whereas this case was filed on February 16, 2010 in Contra Costa Superior Court in
18 Pro Per;

19 2. Whereas the Law Offices of Edward C. Casey Jr. substituted into the case as
20 plaintiff's counsel on or about June 29, 2010 and thereafter promptly served defendants with
21 the summons and complaint;

22 3. Whereas defendants removed the case to this court on or about July 27, 2010;

23 2. Whereas the complaint alleges the Defendants were negligent in the ownership,
24 operation, and management of their cargo ship known as "Hyundai No. 109" such that a loud

27
Stipulation to Allow Filing of Amended Complaint Naming
ISOAC Navigation No. 2 S.A. as Defendant; Order Thereon

1 siren or horn was allowed to sound while plaintiff was working in the hold of the ship, thereby
2 causing plaintiff to suffer permanent hearing loss;

3 3. Whereas at the time of the filing of the complaint plaintiff was not aware of the
4 identity of the owner of the subject vessel;

5 4. Whereas by responses to written discovery served on plaintiff by defendant Zodiac
6 Maritime Agencies, Ltd on or about January 10, 2011, defendants confirmed that the owner of
7 the vessel is "ISOAC Navigation No. 2 S.A."; and

8 5. Plaintiff does not believe prejudice is suffered by the new parties to this action by
9 amending the complaint to name ISOAC Navigation No. 2 S.A. as a defendant at this time.

10 Therefore the parties stipulate and agree that plaintiff be allowed to amend the
11 complaint to name "ISOAC Navigation No. 2 S.A." as an additional defendant in the subject
12 action.

13 IT IS SO STIPULATED:

14 LAW OFFICES OF EDWARD C. CASEY JR.

15
16 Dated: February 3, 2011

17 _____/S/
By: Edward C. Casey Jr.
Attorneys for Plaintiff Emile Munson

18
19 COGSWELL, NAKAZAWA & CHANG LLP

20 Dated: February 3, 2011

21 _____/S/
By: Forrest Cogswell, Esq.
Attorneys for the defendant Zodiac Maritime
22 Agencies Ltd.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

**ORDER ON STIPULATION TO ALLOW FILING OF AMENDED COMPLAINT
NAMING ISOAC NAVIGATION NO. 2 S.A. AS DEFENDANT**

This Stipulation of the parties having been read and considered and good cause appearing,

IT IS HEREBY ORDERED that plaintiff may amend the complaint to name ISOAC Navigation No. 2 S.A. as a defendant in the subject action. The amended complaint is to be filed on or before March 4, 2011. Plaintiff is to serve the newly named defendant with a summons and the amended complaint forthwith.

Dated: 2/10/11



Honorable Richard Seeborg
Judge of the United States District Court