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10 Attorneys for Plaintiffs

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 12 IN THE UNITED STATES DISTRICT COURT
 13 FOR THE NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO

14 Donald Kalan Gagner and Hung Tran, individually
 15 and on behalf of all others similarly situated,

16 Plaintiffs,

17 vs.

18 Southern Wine & Spirits of America, Inc., a
 19 Florida Corporation,

20 Defendant.

Case No.: CV 10-04405 JSW

[PROPOSED] ORDER GRANTING LEAVE TO FILE FIRST AMENDED COMPLAINT


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~~[PROPOSED]~~ ORDER GRANTING LEAVE TO FILE FIRST AMENDED COMPLAINT - CASE NO.: CV 10-04405 JSW

1 Based on the parties' stipulation and good cause appearing;

2 IT IS HEREBY ORDERED that PLAINTIFF HUNG TRAN is granted leave to file the
3 attached First Amended Complaint. Defendant need not file an answer to the First Amended
4 Complaint. Defendant's answer to the original Complaint filed in the Superior Court is hereby
5 deemed the operative answer to the First Amended Complaint, and all new matters averred in the
6 First Amended Complaint are hereby deemed controverted.

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8 DATED: January 25, 2011



JEFFREY S. WHITE
United States District Judge