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8 Attorney for Plaintiff
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10
 11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION

14	BRANDON CHATOIAN,	}	
15		}	No.: C 11-02322 JSW
16		}	
17	Plaintiff,	}	
18		}	Hon. Jeffrey S. White
19	vs.	}	
20	WATERWORK INDUSTRIES	}	
21	INCORPORATED, et al.,	}	
22	Defendants.	}	

23 **STIPULATION AND ORDER AS MODIFIED**
 24
 25 **FOR LEAVE TO FILE AMENDED COMPLAINT**

STIPULATION AND ORDER FOR LEAVE TO FILE AMENDED COMPLAINT No. C 11-02322 JSW

STIPULATION

1
2 WHEREAS information has been shared between the parties and
3
4 Plaintiff has prepared and served the ~~attached~~ AMENDED COMPLAINT at Docket 16, Ex. 1,
5 which deletes one claim; adds one new and different claim; for clarity,
6 divides two previously stated claims; and better states each claim;
7

8 WHEREAS Defendants filed their joint Answer after this action
9 was removed to this Court and leave of this Court is required;¹
10

11 WHEREAS counsel for Plaintiff and counsel for Defendants
12 conferred and agreed to the filing of an AMENDED COMPLAINT which
13 upon filing shall become the Complaint in this matter;
14

15 AND WHEREAS counsel for Plaintiff and counsel for
16 Defendants conferred and agreed that Defendants shall serve and file their
17 responsive pleading(s) on or before July 29, 2011:
18

19 NOW, THEREFORE, IT IS STIPULATED and agreed that
20 Plaintiff shall, upon the granting of leave, forthwith file the proposed
21

22 1. Rule 15 provides that a party may amend its pleading once as a
23 matter of course at any time before a responsive pleading is served;
24 “[o]therwise, a party may amend the party’s pleading only by leave of court
25 [which] shall be freely given when justice so requires.” Fed. R. Civ. P. 15.

1 Amended Complaint. Upon its filing, the proposed Amended Complaint shall
2 become the Complaint in this matter. Defendants shall file their responsive
3 pleading(s) on or before July 29, 2011.
4

5 Kilpatrick Townsend & Stockton LLP,
6 Attorneys for Defendants Waterworks
7 Industries and Mathias Toupin, by:

8 s/ Kathleen Dodd Barton

Dated: July 1, 2011

9 _____
KATHLEEN DODD BARTON

10
11 Plaintiff Brandon Chatoian, by:

12 s/ Lanny Jay

Dated: July 1, 2011

13 _____
14 LANNY JAY

15 **ORDER**

16
17 It is so Ordered.

18
19 
20 _____
JEFFREYS. WHITE
21 U.S. DISTRICT COURT JUDGE

Dated: July 5, 2011