

1 PETER M. HART (State Bar No. 198691)  
 hartpeter@msn.com  
 2 AMBER S. HEALY (State Bar No. 232730)  
 ahealy.loph@gmail.com  
 3 KATHERINE GIROLAMO (State Bar No. 281662)  
 kgirolamo@gmail.com  
 4 **LAW OFFICES OF PETER M. HART**  
 12121 Wilshire Boulevard, Suite 205  
 5 Los Angeles, California 90025  
 Telephone: (310) 478-5789  
 6 Facsimile: (509) 561-6441

7 KENNETH H. YOON (State Bar No. 198443)  
 kyoonyoon@yoonyoonlaw.com  
 8 **LAW OFFICES OF KENNETH H. YOON**  
 One Wilshire Blvd., Suite 2200  
 9 Los Angeles, CA 90017  
 Telephone: (213) 612-0988  
 10 Facsimile: (213) 947-1211

11 Attorneys for Plaintiff  
 12 Vernon Michael Lambson

13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**

16 VERNON MICHAEL LAMBSON, as  
 an individual and on behalf of all others  
 17 similarly situated,

18 Plaintiff,

19 v.

20 MARRIOTT INTERNATIONAL,  
 INC., a Delaware Corporation; THE  
 21 RITZ-CARLTON HOTEL  
 COMPANY, LLC, a Delaware  
 22 Corporation; and DOES 1 THROUGH  
 23 100, inclusive,

24 Defendants.

Case No. 3:11-cv-06669-CRB

**STIPULATION AND [REDACTED]  
 ORDER FOR LEAVE FOR PLAINTIFF  
 TO FILE A SECOND AMENDED  
 COMPLAINT**

Judge: Hon. Charles R. Breyer

1 Plaintiff Vernon Michael Lambson (“Plaintiff”) and Defendant and The Ritz-  
2 Carlton Hotel Company, LLC (“Ritz-Carlton”) (“Defendant”) (collectively the “Parties”)  
3 by and through their respective counsel, hereby stipulate as follows:

4 **WHEREAS**, Counsel for the Parties, have met and conferred regarding the filing  
5 of a Second Amended Complaint (“SAC”);

6 **WHEREAS**, the SAC will (i) add representative plaintiff, Dinora Martinez, (ii)  
7 delete certain causes of action and allegations, (iii) add certain causes of action including  
8 a claim under Labor Code § 2698, *et seq.*, the Private Attorneys General Act (“PAGA”),  
9 (iv) and will revise class definitions;

10 **WHEREAS**, without agreeing to the propriety of the same, Ritz-Carlton does not  
11 oppose such an amendment, subject to reserving all its rights and defenses (including, by  
12 way of example but not of limitation, all arguments regarding the substantive allegations,  
13 the propriety of class certification, relations back for limitations purposes, and whether  
14 Plaintiff Lambson’s and proposed Plaintiff Martinez’ claims can or should be brought in  
15 the same action);

16 **NOW, THEREFORE**, the parties hereby stipulate and agree as follows:

17 1) Plaintiff may file a Second Amended Complaint, a copy of which is attached as  
18 **Exhibit A.**

19 2) Upon entry of the Court’s Order permitting the filing of the Second Amended  
20 Complaint, the Second Amended Complaint shall be deemed served. Defendant Ritz-  
21 Carlton shall have thirty (30) days from the date of entry of said order to answer or  
22 otherwise respond to the Second Amended Complaint.

24 Dated: October 24, 2012

LAW OFFICES OF PETER M. HART

25 By: /s/ Peter M. Hart

26 Peter M. Hart

27 Attorneys for Plaintiff

1 Dated: October 24, 2012

O'MELVENY & MYERS LLP

2 By: /s/ Adam P. KohSweeney

3 Adam P. KohSweeney  
4 Attorneys for Defendants Marriott  
5 International, Inc. and The Ritz-Carlton  
6 Hotel Company, LLC

7 **ATTESTATION OF CONCURRENCE**

8 Pursuant to the Court's General Order 45, Section X(B), I hereby attest that  
9 concurrence in the filing of this document has been obtained from the other signatory.

10 I declare under penalty of perjury under the laws of the United States of America  
11 that the foregoing declaration is true and correct to the best of my personal knowledge.

12 Executed this 24th day October, 2012, in Los Angeles, California.

13  
14 /s/ Peter M. Hart  
15 Peter M. Hart

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~~PROPOSED~~ ORDER

This Court has reviewed the Parties' Stipulation for Leave for Plaintiff to File A Second Amended Complaint.

Good cause appearing therefore, it is hereby ordered that the Stipulation is **GRANTED**. Plaintiff shall have leave to file the Second Amended Complaint and Defendant shall have thirty (30) days from the date of entry of this Order to answer or otherwise respond, subject to all the understandings and limitations set out in the parties' Stipulation.

**IT IS SO ORDERED.**

DATED: Oct. 25, 2012

