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10  
 11 **UNITED STATES DISTRICT COURT**  
 12 **NORTHERN DISTRICT OF CALIFORNIA**  
 13

14  
 15 RICHARD W. TRAMMELL, individually and on  
 behalf of all others similarly situated,

16  
 17 Plaintiffs,

18 v.

19 BARBARA'S BAKERY, INC. a California  
 20 corporation; and DOES 1-50,

21 Defendants  
 22  
 23

Case No. 12-CV-02664-CRB

**STIPULATION AND ORDER TO FILE  
 SECOND AMENDED CLASS ACTION  
 COMPLAINT**

JURY TRIAL DEMANDED

1 WHEREAS, Plaintiff filed this putative class action on May 23, 2012;

2 WHEREAS, on May 30, 2012, Plaintiff served defendant Barbara's Bakery, Inc.

3 ("Defendant") with the summons and complaint;

4 WHEREAS, Plaintiff filed a first amended complaint on June 28, 2012;

5 WHEREAS Defendant filed its answer to the first amended complaint on July 19, 2012.

6 WHEREAS, Plaintiff seeks to amend the first amended complaint to state additional claims for  
7 relief;

8 THEREFORE, the parties stipulate and request that the Court order that Plaintiff file his  
9 second amended complaint, and Defendant will have 21 days from the filing of the first amended  
10 complaint to respond.

11 IT IS SO STIPULATED.

12 Dated: January 28, 2013

GLYNN & FINLEY, LLP

13 /s/ Jonathan A. Eldredge

14 Attorneys for Barbara's Bakery, Inc.

15  
16 Dated: January 28, 2013

AHDOOT & WOLFSON, P.C.

17  
18 /s/ Tina Wolfson

19 Attorneys for Plaintiff

20 FOR GOOD CAUSE SHOWN, THE COURT ORDERS that Plaintiff file his second amended  
21 complaint within five (5) days from the date of this Order, and Defendant will have 21 days from the  
22 filing of the second amended complaint to respond.

23 IT IS SO ORDERED.

24 Dated: January 30, 2013

25  
26 Charles R. Breyer  
27 Senior

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Judge Charles R. Breyer