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10 Attorneys for Plaintiff, MICHAEL C. RIGHETTI,
 11 individually and on behalf of other members similarly situated

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

14 MICHAEL RIGHETTI, on behalf of
 15 himself and all similarly situated persons,

16 Plaintiff,

17 vs.

18 RCI, LLC

19 Defendants.

Case No. 3:13-cv-04328-JST

JOINT STIPULATION AND
~~PROPOSED~~ ORDER FOR: (1)
 ALLOWING PLAINTIFF TO FILE
 A THRID AMENDED
 COMPLAINT; (2) DISMISSING
 DEFENDANT RCI, LLC FROM
 THIS ACTION, WITHOUT
 PREJUDICE AND (3)
 CONTINUING CASE
 MANAGEMENT CONFERENCE

23
 24 Plaintiff, MICHAEL RIGHETTI, on behalf of himself and all others
 25 similarly situated, and Defendant, RCI, LLC, by and through their respective counsel of
 26 record, hereby submit the following Stipulation.
 27
 28

1 Whereas, following the last CMC Plaintiff has conducted additional
2 investigation into the parties and entities responsible for placing the call to Plaintiff that
3 spawned this action. Based on said investigation, Plaintiff has identified the individuals
4 and entities who are allegedly responsible for placing the calls to Plaintiff that violated
5 the Telephone Consumer Protection Act 47 U.S.C. §227.

6 Whereas, the parties hereby stipulate to allow Plaintiff to file the attached
7 Third Amended Complaint (attached as Exhibit A) against the parties and entities
8 responsible for placing the calls to Plaintiff Michael Righetti. The parties also stipulate to
9 allowing Plaintiff to add an additional Plaintiff, Rex Righetti, to this action.

10 Whereas, upon the signing of the Order allowing Plaintiff to file the attached
11 Third Amended Complaint, the parties further stipulate to the dismissal of Defendant
12 RCI, LLC from this action, without prejudice, with each party to bear their own fees and
13 costs.

14 Whereas, the parties further stipulate to a continuance of the Case
15 Management Conference currently set for July 2, 2014, in order to allow Plaintiffs to
16 effectuate service of the Third Amended Complaint on the new Defendants.

17
18 Dated: June 18, 2014

RESPECTFULLY SUBMITTED,

JONES LAW FIRM

By: /s/ Charles A. Jones
Charles A. Jones, Esq.
Attorneys for Plaintiff and all others
similarly situated

23
24 Dated: June 18, 2014

Schiff Hardin LLP

By: /s/ Paula J. Morency
Paula J. Morency
Attorneys for Defendant

1 ~~PROPOSED~~ ORDER

2 Having reviewed the foregoing stipulation and good cause appearing, it is hereby
3 ORDERED that:

4 1. Plaintiffs are allowed to file the Third Amended Complaint, ~~attached hereto~~
5 ~~as Exhibit A;~~ The Plaintiffs shall file the Third Amended Complaint on the Court's docket by
6 July 15, 2014.

7 2. Defendant RCI, LLC is hereby dismissed from this action, without
8 prejudice, each party to bear their own fees and costs; and

9 3. That the Case Management Conference in this action be continued to
10 September 3, 2014 at 2:00 p.m.

11 Dated: June 24, 2014.

