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5 Attorneys for Plaintiff
 6 Michael Deatrck

7 **UNITED STATES DISTRICT COURT**
 8 **NORTHERN DISTRICT OF CALIFORNIA**

9
 10 MICHAEL DIETRICK, individually and on
 behalf of all others similarly situated,

11 Plaintiff,

12 v.

13 SECURITAS SECURITY SERVICES USA,
 14 INC.,

15 Defendant.

Case No.: 3:13-cv-5016 JST

STIPULATION AND ~~PROPOSED~~
ORDER RE FILING OF AND
RESPONDING TO SECOND AMENDED
COMPLAINT

F.R.C.P. 15

1 Plaintiff Michael Deatrick (“Plaintiff”) and Defendant Securitas Security Services USA, Inc.
2 (“Securitas USA”) hereby stipulate and agree as follows:

3 WHEREAS, Plaintiff filed his original Complaint in this action on October 28, 2013, and an
4 amended Complaint on February 13, 2014, that is the currently operative pleading;

5 WHEREAS, the Plaintiff’s last name was inadvertently spelled Dietrick instead of Deatrick, and
6 Plaintiff wishes to correct the spelling of his name in the pleadings and on the case caption;

7 WHEREAS the requested amendment would merely correct a name and does not affect the
8 substantive rights of the parties;

9 WHEREAS Federal Rule of Civil Procedure 15(a) provides that leave to amend “shall be freely
10 given when justice so requires;

11 WHEREAS Plaintiff requests that this Court permit the proposed amendment in the interest of
12 accuracy of the pleadings;

13 WHEREAS Securitas USA does not oppose and agrees to the Amendment;

14 IT IS THEREFORE STIPULATED AND AGREED AS FOLLOWS:

- 15 1. That Plaintiff shall be given leave to file the Second Amended Complaint submitted
16 concurrently with this stipulation;
- 17 2. That Securitas USA shall have 14 days from the date of filing in which to Answer the
18 Second Amended Complaint.

1 Pursuant to Local Rule 5-1(i)(3), the undersigned filer of this document hereby attests that
2 concurrence in the filing has been obtained from each of the other signatories, which shall serve in lieu
3 of their signatures on the document.

4
5 IT IS SO STIPULATED.

6 DATED: July 3, 2014

7 Respectfully submitted,
8 PROMETHEUS PARTNERS L.L.P.

9
10 By: /s/ John R. Hurley
11 John R. Hurley, Esq.
12 Attorneys for Plaintiff Michael Deatrick

13 DATED: July 3, 2014

14 Respectfully submitted,
15 THARPE & HOWELL, LLP

16 By: /s/ Sherry B. Shavit
17 Sherry B. Shavit, Esq.
18 Attorneys for Defendant Securitas
Security Services USA, Inc.

19 PURSUANT TO STIPULATION, IT IS SO ORDERED. Further, the Clerk of the Court is directed to
20 change the caption of the case in the Court records to reflect the proper spelling of the name of Plaintiff
21 Michael Deatrick.

22 DATED: July 7, 2014

