

1 Law Offices of  
 Randall M. Widmann  
 2 Randall M. Widmann, St. Bar No. 73154  
 2479 E. Bayshore Rd., Ste 703  
 3 Palo Alto, California 94303  
 (650) 424-8400  
 4 [Randall@RMWLaw.net](mailto:Randall@RMWLaw.net)

5 Attorneys for Plaintiff  
 Tracy Templeton Smith

7 Jennifer C. Hayes, SBN 197252  
[jhayes@mckennalong.com](mailto:jhayes@mckennalong.com)  
 8 McKENNA LONG & ALDRIDGE LLP  
 One Market Plaza, Spear Tower, 24<sup>th</sup> Floor  
 9 San Francisco, California 94105  
 Telephone: 415.267.4000  
 10 Facsimile: 415.267.4198

11 Attorneys for Defendants  
 Level 3 Communications, Inc. and  
 12 Level 3 Communications, LLC

13 IN THE UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION

16 TRACY TEMPLETON SMITH,  
 17 *Plaintiff,*  
 18 v.  
 19 LEVEL 3 COMMUNICATIONS, INC. a  
 corporation, DOE ONE through DOE ONE  
 20 HUNDRED, inclusive,  
 21 *Defendants.*

Case No. 3:14-cv-05036-WHA

**STIPULATION FOR ENTRY OF ORDER  
 TO CHANGE THE NAME OF THE  
 DEFENDANT**

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 23  
 24 Plaintiff, Tracy Templeton Smith (“Ms. Smith”), and Defendants, Level 3 Communications,  
 25 Inc. and Level 3 Communications, LLC (together the “Defendants”), stipulate as follows:

**RECITALS**

26  
 27 A. After the Complaint in this matter was filed and served, Defendant, Level 3  
 28 Communications, Inc., raised the issue that it was inaccurately named as Plaintiff’s employer when, in


1 fact, "Level 3 Communications, LLC" was Plaintiff's employer and, therefore, should be the named  
2 Defendant.

3 B. Thereafter, the parties met and conferred regarding the issue. The parties came to an  
4 agreement that "Level 3 Communications, LLC" is the proper Defendant in this matter and that Level  
5 3 Communications, Inc. should be dismissed from this lawsuit.

6  
7 **STIPULATION**

- 8 1. The above recitals are incorporated by reference.  
9 2. Level 3 Communications, LLC shall be the named defendant in the above-  
10 captioned lawsuit.  
11 3. Level 3 Communications, Inc. is dismissed from this lawsuit.  
12 4. Pleadings already filed in this lawsuit are deemed amended to reflect that Level 3  
13 Communications, LLC is the correct defendant.  
14 5. The parties agree to seek entry of an order approving this stipulation.

15  
16 Dated: 3/17/15

  
\_\_\_\_\_  
Randall M. Widmann  
Attorney for Plaintiff

17  
18 Dated: March 16, 2015

/s/Jennifer C. Hayes, Esq., CSBN 197252  
Jennifer Hayes  
Attorney for Defendant,  
Level 3 Communications, Inc.

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22 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

- 23 1. The Stipulation for Entry of Order to Change the Name of the Defendant is approved in  
24 its entirety.  
25 2. Level 3 Communications, LLC is the named defendant in this lawsuit.  
26 3. Level 3 Communications, Inc. is dismissed from this lawsuit.  
27 4. The Clerk is directed to modify the docket to replace Level 3 Communications, Inc.  
28 with Level 3 Communications, LLC as the named defendant.

1           5.       Pleadings and orders already filed in this matter are deemed modified to replace Level 3  
2 Communications, Inc. with Level 3 Communications, LLC as the named defendant.

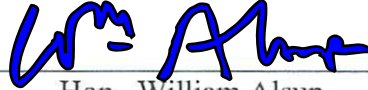
3           6.       Future captions filed or served in this action shall name Level 3 Communications, LLC  
4 as the defendant.

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Date: March 23, 2015.

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Hon. William Alsup  
Judge, U.S. District Court

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