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5 Attorney for Plaintiffs
 6 IRMA RAMIREZ and
 DAREN HEATHERLY

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

10 IRMA RAMIREZ; and DAREN
 HEATHERLY,
 11 Plaintiffs,
 12 v.
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 14 BRNK SANTA ROSA LLC, a Delaware
 Limited Liability Company; EMILIA
 15 OCHOA and EMILIANO OCHOA dba EL
 PATIO MEXICAN FOOD; JOHN S.
 STROUZAS AND BETSIE J. STROUZAS,
 16 Trustees under Revocable Trust dated July
 2, 1986; SPYRIDON J. STROUZAS; and
 17 BARBARA F. STROUZAS,
 18
 19 Defendants.

) **CASE NO. 3:14-cv-05224-VC**
)
) **Civil Rights**
) **SECOND STIPULATION AND**
) **~~PROPOSED~~ ORDER FOR PLAINTIFFS**
) **TO FILE SECOND AMENDED**
) **COMPLAINT**

20 **IT IS STIPULATED**, by and through plaintiffs IRMA RAMIREZ and DAREN
 21 HEATHERLY, and Defendants EMILIA OCHOA and EMILIANO OCHOA dba EL PATIO
 22 MEXICAN FOOD, respective attorney of record that plaintiffs be permitted leave to file the
 23 proposed Second Amended Complaint (attached as Exhibit "A" is the proposed Second
 24 Amended Complaint) for the following reasons:

- 25 1. **Whereas**, plaintiffs' counsel has learned that defendants JOHN S. STROUZAS
 26 and BETSIE J. STROUZAS, Trustees under Revocable Trust dated July 2, 1986, SPYRIDON J.
 27 STROUZAS and BARBARA F. STROUZAS are not the property owner for (land and building)
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1 located at or near 425 Stony Point Road, Santa Rosa, California. A Notice of Voluntary
2 Dismissal has been filed; and

3 2. **Whereas**, plaintiffs' counsel has further investigated the matter and has found
4 and named the correct property owners for (land and building) located at or near 425 Stony Point
5 Road, Santa Rosa, California in the complaint. The correct property owners are FRED J. F. LEE
6 and JEAN K. LEE, Trustees of the Lee Family Trust, U.D.T. July 26, 1996; SALLY JANE LEE,
7 Trustee of the Sally Jane Lee Survivor's Trust u/t Carl Kwock Fon Lee and Sally Jane Lee
8 Revocable Trust, dated April 23, 1996; SALLY JANE LEE, Trustee of the Carl Lee QTIP Trust
9 u/t Carl Kwock Fon Lee and Sally Jane Lee Revocable Trust, dated April 23, 1996; SALLY
10 JANE LEE, Trustee of the Carl Lee Bypass Trust u/t Carl Kwock Fon Lee and Sally Jane Lee
11 Revocable Trust, dated April 23, 1996; and

12 3. **Whereas**, the answer previously filed by defendants EMILIA OCHOA and
13 EMILIANO OCHOA dba EL PATIO MEXICAN FOOD shall serve as the answer for defendants
14 to the Second Amended Complaint.

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16 Respectfully Submitted,

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18 Dated: August 31, 2015

19 THOMAS E. FRANKOVICH,
20 *A PROFESSIONAL LAW CORPORATION*

21 By: /s/Thomas E. Frankovich
22 Thomas E. Frankovich
23 Attorney for Plaintiffs IRMA RAMIREZ and
DAREN HEATHERLY

24 Dated: August 31, 2015

25 JASON G. GONG
26 **LAW OFFICES OF JASON G. GONG**

27 By: /s/Jason G. Gong
28 Jason G. Gong

1 Attorney for Defendants EMILIA OCHOA and
2 EMILIANO OCHOA dba EL PATIO MEXICAN
3 FOOD
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5 **ORDER**

6 Pursuant to the parties' stipulation, **IT IS ORDERED** that plaintiffs IRMA RAMIREZ
7 and DAREN HEATHERLY have leave of this Court to file the Second Amended Complaint
8 attached hereto as Exhibit "A," and that the answer previously filed by defendants EMILIA
9 OCHOA and EMILIANO OCHOA dba EL PATIO MEXICAN FOOD shall be deemed an
10 answer to the Second Amended Complaint.
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13 Dated: September 2, 2015



14 Honorable Vince Chhabria
15 United States District Judge of California
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