

1 STEVEN G. ZIEFF (SBN 84222)  
 JOHN T. MULLAN (SBN 221149)  
 2 MICHELLE G. LEE (SBN 266167)  
 RUDY, EXELROD, ZIEFF & LOWE, LLP  
 3 351 California Street, Suite 700  
 4 San Francisco, CA 94104  
 Phone: (415) 434-9800  
 5 Fax: (415) 434-0513  
 Email: sgz@rezlaw.com  
 6 Email: jtm@rezlaw.com  
 7 Email: mgl@rezlaw.com

8 Attorneys for Plaintiff  
 WILLIAM KEVIN POATE

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

14 WILLIAM KEVIN POATE,  
 15 Plaintiff,

16 v.

17 WIRELESS LIFESTYLE, INC., a  
 corporation; WIRELESS LIFESTYLE, LLC,  
 18 a limited liability company,

19 Defendants.

Case No. 3:16-cv-01138-HSG

**JOINT STIPULATION AND ORDER FOR  
 LEAVE TO FILE FIRST AMENDED  
 COMPLAINT**

20 \_\_\_\_\_ /

21  
 22  
 23  
 24  
 25  
 26  
 27  
 28

RUDY EXELROD ZIEFF & LOWE LLP  
 351 CALIFORNIA STREET, SUITE 700  
 SAN FRANCISCO, CALIFORNIA 94104  
 PH (415) 434-9800 | FX (415) 434-0513 | www.rezlaw.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Plaintiff William Kevin Poate (“Plaintiff”) and Defendants Wireless Lifestyle, Inc., and Wireless Lifestyle, LLC, (“Defendants”), by and through their attorneys of record, hereby stipulate and agree that Plaintiff shall have leave to file a First Amended Complaint in this lawsuit for purposes of alleging exhaustion of the administrative requirements pursuant to the Private Attorneys General Act (“PAGA”). A copy of the Proposed First Amended Complaint is attached hereto as Exhibit A.

Respectfully submitted,

Dated: July 6, 2016

/s/ Lonnie D. Giamela  
LONNIE D. GIAMELA  
SHAUN J. VOIGT  
FISHER & PHILLIPS LLP  
Attorneys for Defendant  
WIRELESS LIFESTYLE, INC.

Dated: July 6, 2016


/s/ Steven G. Zieff  
STEVEN G. ZIEFF  
JOHN T. MULLAN  
MICHELLE G. LEE  
RUDY EXELROD ZIEFF & LOWE LLP  
Attorneys for Plaintiffs

**ECF ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), the filer attests that concurrence in the filing of this document has been obtained from each of the other signatories thereto.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: July 8, 2016

  
Hon. Haywood S. Gilliam, Jr.  
United States District Court