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12 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 LILLIE BRANTLEY, by her guardian ad)
 litem Chauncey McLorin; GILDA GARCIA;)
 15 ALLIE JO WOODARD, by her guardian ad)
 litem Linda Gaspard-Berry, individually and)
 16 on behalf of all others similarly situated,)
)
 17 Plaintiffs,)
 18)
 vs.)
 19)
 20 DAVID MAXWELL-JOLLY, Director of the)
 Department of Health Care Services, State of)
 California, DEPARTMENT OF HEALTH)
 21 CARE SERVICES,)
)
 22 Defendants.)

Case No.: C09-03798 SBA
CLASS ACTION
STIPULATION AND [PROPOSED]
ORDER TO FILE FIRST AMENDED
COMPLAINT

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1 Pursuant to Federal Rule of Civil Procedure 15(a)(2), the parties hereby stipulate that
2 Plaintiffs may file a First Amended Complaint. By stipulating, Defendants do not concede the
3 veracity or accuracy of any of the amendments. Defendants' time to respond to the First Amended
4 Complaint shall be in accordance with Federal Rule of Civil Procedure 15(a)(3).

5 Dated: December 18, 2009

Respectfully Submitted,

6 DISABILITY RIGHTS CALIFORNIA
7 AARP FOUNDATION LITIGATION
8 NATIONAL SENIOR CITIZENS LAW CENTER
9 NATIONAL HEALTH LAW PROGRAM

10 By: _____ /s/

Elissa Gershon

Attorneys for Plaintiffs

11 EDMUND G. BROWN JR.
12 Attorney General of California
13 SUSAN M. CARSON
Supervising Deputy Attorney General

14 Dated: December 18, 2009

By: _____ /s/

Susan M. Carson

Attorneys for Defendants

17 Filer's Attestation: Pursuant to General Order No. 45, § X(B), I attest under penalty of
18 perjury that concurrence in the filing of the document has been obtained from each of its signatories.

19 Dated: December 18, 2009

By: _____ /s/

Elissa Gershon

21 PURSUANT TO STIPULATION, leave to amend the Complaint filed in this action on
22 August 18, 2009 is hereby GRANTED.

23
24 Dated: 12/30/09

By: _____


Honorable Sandra B. Armstrong