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5 Attorneys for Plaintiffs: LINDA KUHN  
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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISIOIN**

12 LINDA KUHN,

13  
14 Plaintiff,

15 vs.

16 L'OREAL USA S/D, INC., MATRIX  
17 ESSENTIALS, INC., ULTA BEAUTY, INC., )  
18 and DOES 1 to 100, )

19 Defendants. )  
20 )  
21 )

) **Case No. 4:19-cv-04021-HSG**

) **STIPULATION AND PROPOSED ORDER**  
) **ALLOWING FILING OF SECOND**  
) **AMENDED COMPLAINT**

22 Plaintiff LINDA KUHN, Defendant ULTA BEAUTY, INC. (“Ultra Beauty”), L’Oréal  
23 USA S/D, Inc., and Defendant Matrix Essentials, LLC (erroneously sued as Matrix Essentials,  
24 Inc.) (“Matrix”) by and through their undersigned counsel, pursuant to FRCP 15 (a)(2) and Civil

25 Local Rule 7-1 (a)(5) and 7-12, agree and stipulate as follows:

**STIPULATION AND PROPOSED ORDER ALLOWING FILING OF SECOND AMENDED  
COMPLAINT**

**Case No.4:19-cv-04021-HSG**

1 Plaintiff filed her first amended complaint (the "FAC") in Superior Court of the State of  
2 California, County of San Francisco, Case No. CGC-19-575175, on May 3, 2019. Plaintiff  
3 contends that it served Ulta Beauty on May 7, 2019. Defendants L'Oreal USA S/D, Inc. and  
4 Matrix Essentials, Inc. removed this action to this Court on July 12, 2019. (Doc. 1).

5 Ulta Beauty, Inc. disputes that it is a proper party to this matter, disputes that it was  
6 served properly, and instead asserts that the proper party should be Ulta Salon, Cosmetics and  
7 Fragrance, Inc. To resolve this dispute, Plaintiff and Ulta Beauty have agreed that Plaintiff will  
8 move to amend the FAC so she can dismiss Ulta Beauty without prejudice and add Ulta Salon,  
9 Cosmetics & Fragrance, Inc. as a defendant to this action.

10 Defendant Matrix Essentials, Inc. asserts that its proper name is Matrix Essentials, LLC.  
11 To resolve this dispute, Plaintiff and Matrix Essentials, LLC have agreed that Plaintiff will  
12 move to amend the FAC so she can rename the proper defendant as Matrix Essentials, LLC.  
13

14 The parties have agreed and stipulated that the FAC can be amended to name as  
15 defendant Ulta Salon, Cosmetics and Fragrance, Inc., and Matrix Essentials, LLC, and dismiss  
16 without prejudice Ulta Beauty, Inc.

17 **IT IS SO AGREED AND STIPULATED.**

18 Respectfully submitted,

19 October 9, 2019

LOCKE LORD LLP

20  
21 By: /s/ Mitchell J. Popham  
22 Mitchell J. Popham  
23 Attorneys for Defendant ULTA BEAUTY, INC.  
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**STIPULATION AND PROPOSED ORDER ALLOWING FILING OF SECOND AMENDED  
COMPLAINT** Case No.4:19-cv-04021-HSG

1 Dated: October 9, 2019

GORDON REES SCULLY MANSUKHANI, LLP

2  
3 By: /s/ J. Dominic Campodonico  
4 J. Dominic Campodonico  
5 Attorneys for Defendants L'Oréal USA S/D, Inc.  
6 and Matrix Essentials, LLC (erroneously sued as  
7 Matrix Essentials, Inc.)

8 Dated: October 9, 2019

LAW OFFICES OF STEVEN A. FABBRO

9 By: /s/ Seven A. Fabbro  
10 Steven A. Fabbro  
11 Attorneys for Plaintiff LINDA KUHN

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

13  
14 Dated: \_\_\_\_\_

\_\_\_\_\_  
15 U.S. DISTRICT JUDGE

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23  
24  
25 **STIPULATION AND PROPOSED ORDER ALLOWING FILING OF SECOND AMENDED  
COMPLAINT** **Case No.4:19-cv-04021-HSG**

CERTIFICATION

The filing attorney attests that he has obtained concurrence regarding this document's content and authorization to file this document from the indicated signatories to the document.

Dated: October 9, 2019

By: /s/ Steven A. Fabbro  
Steven A. Fabbro