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 8 FINANCIAL SOLUTIONS, LLC

9
 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

13 BARBARA NICANDER,
 14 Plaintiff,
 15 v.
 16 LAURENCE A. HECKER and HARRY
 PARKER,
 17 Defendants.

Case No.: C 07-05838 JF

**JOINT REQUEST AND STIPULATION TO
 AMEND PLAINTIFF'S FIRST AMENDED
 COMPAINT TO ADD A NEW PARTY, APM
 FINANCIAL SOLUTIONS, LLC;
 [PROPOSED] ORDER**

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 20 WHEREAS Plaintiff filed her Complaint in this matter on November 16, 2007;

21 WHEREAS Plaintiff filed her Amended Complaint in this matter on October 15, 2008;

22 WHEREAS Plaintiff has discovered new information concerning the purported employment of
 23 Defendants Laurence A. Hecker and Harry Parker by APM Financial Solutions LLC, and concerning
 24 APM Financial Solutions LLC's potential liability for the alleged conduct of Defendants Hecker and
 25 Parker at issue in this lawsuit;

26 WHEREAS the parties and APM Financial Solutions, LLC have reached a settlement
 27 agreement in principle which requires APM Financial Solutions, LLC to agree to a stipulated judgment
 28 if settlement payments are not made;

1 WHEREAS APM Financial Solutions, LLC cannot submit to a judgment without being a party
2 to the litigation;

3 WHEREAS Defendants and APM Financial Solutions, LLC have consented to Plaintiff
4 amending her First Amended Complaint to name APM Financial Solutions LLC as a defendant;

5 WHEREAS APM Financial Solutions, LLC waives service and consents to the jurisdiction of
6 the Court;

7 WHEREAS the parties agree that if the settlement agreement and stipulated judgment are not
8 executed, thereby potentially causing the litigation to go forward to trial, the instant stipulation is non-
9 operative, and Plaintiff will thus be required to file a motion to amend the Amended Complaint based
10 on evidence and argument in support of such a motion if she desires to have APM Financial Solutions
11 Inc. as a named defendant in this lawsuit.

12 THEREFORE the parties and non-party APM Financial Solutions, LLC jointly request that the
13 Court amend the operative complaint to add APM Financial Solutions, LLC as a defendant to the
14 instant case.

15 Dated: April 7, 2010

16 ELLIS, COLEMAN, POIRIER, LAVOIE, &
17 STEINHEIMER LLP

18 By /s June D. Coleman
19 June D. Coleman
20 Attorney for Defendants
LAURENCE HECKER AND HARRY PARKER
AND NON-PARTY APM FINANCIAL
SOLUTIONS, LLC

21 Dated: April 7, 2010

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23 By /s Ronald Wilcox
24 Ronald Wilcox
25 Attorney for Plaintiff
26 BARBARA NICANDER
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11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 BARBARA NICANDER,

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15 v.

16 LAURENCE A. HECKER and HARRY
PARKER,

17 Defendants.
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[PROPOSED] ORDER**

20 The Court having read the joint request and stipulation to add APM Financial Solutions, LLC
21 as a party, and believing that good cause exists, the Court grants the joint request and permits APM
22 Financial Solutions, LLC to be added as a defendant.

23 DATE: 4/8/10
24 _____

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THE HONORABLE JEREMY FOGEL
26 JUDGE OF THE UNITED STATES DISTRICT COURT
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