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IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NATHALIE THUY VAN; NATHALIE THUY VAN as Guardian ad Litem for RAINIER VINH-THUY NGUYEN-PHUOC,
Plaintiffs,
v.
WAL-MART STORES, INC.; JOHN DOE and RACHEL ROE, security personnel for Wal-Mart, the identities and exact numbers of whom are unknown to plaintiffs; DOES 10 TO 50,
Defendants.

No. C08 05296 PVT
STIPULATION AND
~~PROPOSED~~ ORDER
GRANTING LEAVE TO FILE
AMENDED COMPLAINT

After the initial case management conference, defendants disclosed the identities of the security guards involved in the incident. At the conference, counsel for plaintiff had informed the Court that the guards would be named when their identity was learned. Due to an oversight by counsel for plaintiff, the stipulation and proposed amendment was delayed until now. Counsel do not anticipate, however, that this oversight will delay the proceedings. Therefore,

Stipulation and [Proposed] Order
Granting Leave to File Amended Complaint
C08 05296 PVT

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1 **IT IS HEREBY STIPULATED** by and between the parties hereto through their respective
2 attorneys of record that Plaintiff may file an Amended Complaint, a copy of which is attached
3 hereto, adding the true names of Wal-Mart security personnel involved in the alleged incident.

4
5 **IT IS FURTHER STIPULATED** that defendant Wal-Mart shall not be required to answer
6 the amendment, and that all denials, responses, and affirmative defenses contained in the answer
7 filed by defendant to the original complaint shall be responsive to the amended complaint.

8 /s/
9 Dated: 12 July 2009
10 _____
11 Anthony Boskovich
12 Attorney for Plaintiff

13 Dated: 13 July 2009
14 /s/
15 _____
16 Candice Mullings
17 Attorney for Defendant Wal-Mart Stores, Inc.

18 **ORDER**

19 On stipulation of the parties,

20 **IT IS SO ORDERED.**

21 Dated: 7/15/09

22
23
24 
25 United States Magistrate Judge

26
27 Stipulation and [Proposed] Order
28 Granting Leave to File Amended Complaint
C08 05296 PVT