

1 DONALD R. LIVINGSTON
 WILLIAM ALLEN (Admitted *Pro Hac Vice*)
 2 **AKIN GUMP STRAUSS HAUER & FELD LLP**
 1333 New Hampshire Avenue, N.W.
 3 Washington, DC 20036
 Telephone: (202) 887-4000
 4 Facsimile: (202) 887-4288
 Emails: dlivingston@akingump.com; ballen@akingump.com

5 TERESA W. WANG (SBN 252961)
 6 **AKIN GUMP STRAUSS HAUER & FELD LLP**
 580 California Street, Suite 580
 7 San Francisco, CA 940104
 Telephone: (415) 765-9500
 8 Facsimile: (415) 765-9501
 Email: twang@akingump.com

9 Attorneys for Defendant
 10 HOME DEPOT U.S.A., INC.

11 CLAUDIA CENTER (SBN 158255)
 12 JINNY KIM (SBN 208953)
 RACHAEL LANGSTON (State Bar No. 257950)
 13 **THE LEGAL AID SOCIETY – EMPLOYMENT LAW CENTER**
 600 Harrison Street, Suite 120
 14 San Francisco, CA 94107
 Telephone: (415) 864-8848
 15 Facsimile: (415) 864-8199
 Emails: ccenter@las-elc.org; jkim@las-elc.org; rlangston@las-elc.org

16 JOSHUA KONECKY (SBN 182897)
 17 **SCHNEIDER WALLACE COTTRELL BRAYTON KONECKY LLP**
 180 Montgomery Street, Suite 2000
 18 San Francisco, CA 94104
 Telephone: (415) 421-7100
 19 Facsimile: (415) 421-1665
 Email: jkonecky@schneiderwallace.com

20 Attorneys for Plaintiffs
 21 Gabriel Ortiz, Andrew Gonzales, Landon Mickey Miller and Joe Huynh

22 UNITED STATES DISTRICT COURT
 23 NORTHERN DISTRICT OF CALIFORNIA

24
 25 GABRIEL ORTIZ, ANDREW GONZALES,
 LANDON MICKEY MILLER, AND JOE
 26 HUYNH, on behalf of themselves and all
 others similarly situated,

27 Plaintiffs,
 28

Case No. C 09-03485 LHK

STIPULATED AGREEMENT RE FILING
 OF AMENDED ANSWER

STIPULATED AGREEMENT RE AMENDED
 ANSWER -- Case No. C 09-03485 LHK

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

v.
HOME DEPOT U.S.A., INC.,
Defendant.

Defendant Home Depot U.S.A., Inc. ("Home Depot") and Plaintiffs Gabriel Ortiz, Andrew Gonzales, Landon Mickey Miller and Joe Huynh, by an through their undersigned counsel of record, hereby stipulate that, pursuant to Federal Rule of Civil Procedure 15(a)(2), defendant Home Depot shall be allowed to amend its Answer to Plaintiffs' First Amended Complaint (docket no. 14), filed on January 8, 2010. Home Depot will file a complete copy of its Amended Answer to Plaintiffs' First Amended Complaint on or about September 14, 2010.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: 9 Sept 2010 William F. Allen
William F. Allen
AKIN GUMP STRAUSS HAUER & FELD LLP
Attorneys for defendant HOME DEPOT U.S.A., Inc.

DATED: September 13, 2010 Jinny Kim
Jinny Kim
THE LEGAL AID SOCIETY - EMPLOYMENT
LAW CENTER
SCHNEIDER WALLACE COTTRELL
BRAYTON KONECKY LLP
Attorneys for Plaintiffs

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: September 22, 2010 Lucy H. Koh
Hon. Lucy H. Koh
United States District Judge