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DENNY'S, INC., PROMPT FOOD SERVICE, INC.
6 AND FRANK HERNANDEZ

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 FLORINE HOLMES,

11 Plaintiff,

12 v.

13 DENNY'S INC., PROMPT FOOD
SERVICE, INC., CB DEVELOPMENT
14 #5, INC., FRANK HERNANDEZ, AND
DOES 1-10, INCLUSIVE,

15 Defendant.
16

Case No. C09-04785

**STIPULATION AND ~~PROPOSED~~
ORDER ALLOW DEFENDANT DENNY'S,
INC., TO FILE ANSWER AND ALLOW
PROMPT FOOD SERVICE, INC. AND
FRANK HERNANDEZ TO FILE
AMENDED ANSWER TO PLAINTIFF'S
COMPLAINT**

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LITTLER MENDELSON
A PROFESSIONAL CORPORATION
50 W. San Fernando, 15th Floor
San Jose, CA 95113 2303
408 998 4150
CASE NO. C09-04785

STIPULATION AND ORDER TO FILE AMENDED ANSWER

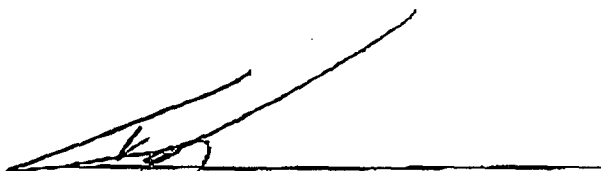
1 Pursuant to Rule 12(a) of the Federal Rules of Civil Procedure, Defendants
 2 DENNY'S, INC. PROMPT FOOD SERVICE, INC. and FRANK HERNANDEZ (hereinafter
 3 "Defendants"), and Plaintiff FLORINE HOLMES hereby stipulate to allow Defendants to amend
 4 their Answer to allow Defendant Denny's, Inc. and opportunity to appear in the action and to answer
 5 to Plaintiff's Complaint. Defendants shall have until December 2, 2009, to file an amended answer
 6 in the above-entitled action.

7 Dated: November 19, 2009



PAUL L. REIN
LAW OFFICES OF PAUL REIN
Attorney for PLAINTIFF

12 Dated: November 19, 2009



TODD K. BOYER
LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendant
DENNY'S INC., PROMPT FOOD SERVICE,
INC. AND FRANK HERNANDEZ

18 ORDER

19 Good cause appearing, the parties stipulation to allow Defendants DENNY'S, INC.,
 20 to appear in the action and answer the Complaint and to allow PROMPT FOOD SERVICE, INC.
 21 and FRANK HERNANDEZ until December 2, 2009, to file an AMENDED responsive pleading to
 22 Plaintiff's Complaint is hereby GRANTED. Defendants DENNY'S, INC., PROMPT FOOD
 23 SERVICE, INC. and FRANK HERNANDEZ's amended answer shall be filed no later than
 24 December 2, 2009.

25 Dated: 11/30/09


Hon. Sandra Brown Armstrong
United States District Judge

27 Firmwide: 92713060.1 064073.1001