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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.
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Case No. C09-04785

**STIPULATION AND ORDER TO
TRANSFER THE CASE TO THE SAN
JOSE DIVISION OF THE UNITED
STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
PURSUANT TO LOCAL RULE 3-2(F)**

1 Pursuant to Northern District Local Rule 3-2(f), Defendants DENNY’S, INC.,
2 PROMPT FOOD SERVICE, INC. and FRANK HERNANDEZ (hereinafter “Defendants”), and
3 Plaintiff FLORINE HOLMES hereby stipulate to transfer this case from the Oakland Division of the
4 United States District Court for the Northern District of California to the San Jose Division. This
5 case is an Americans with Disabilities Act (“ADA”) accessibility matter subject to General Order
6 56, and all of the events and property at issue in this case occurred within the border of Santa Clara
7 County.

8 Local Rule 3-2(e) states that “all civil actions which arises in the counties of Santa
9 Clara . . . shall be assigned to the San Jose Division.” Accordingly, since the events and property
10 giving rise to this case all occurred or are located in Santa Clara County, the proper Division of this
11 Court is the San Jose Division. Therefore, the parties respectfully request the case be transferred to
12 the San Jose Division of the United States District Court for the Northern District of California.

13 Dated: January 15, 2010
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PAUL L. REIN
LAW OFFICES OF PAUL REIN
Attorney for PLAINTIFF
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18 Dated: January 15, 2010
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TODD K. BOYER
LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendant
21 DENNY’S INC., PROMPT FOOD SERVICE,
22 INC. AND FRANK HERNANDEZ
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1 **ORDER**

2 Good cause cause appearing, the parties' stipulation to transfer this case to the San
3 Jose Division of the United States District Court for the Northern District of California is
4 GRANTED, pursuant to Local Rule 3-2(e). This case shall be transferred and reassigned to a United
5 States District Judge in the San Jose Division.

6 Dated: 1/21/10

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8 Hon. Sandra Brown Armstrong
9 United States District Judge
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