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20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA
 22 SAN JOSE DIVISION

23 ERIC BENEDICT, on behalf of himself
 24 and classes of those similarly situated,
 25 Plaintiff,
 26 v.
 27 HEWLETT-PACKARD COMPANY,
 28 Defendant.

Case No. C 13-0119 LHK

**STIPULATION AND [PROPOSED]
 ORDER PERMITTING PLAINTIFF TO
 FILE FIRST AMENDED COMPLAINT
 WITHOUT WAIVING DEFENDANT'S
 RULE 12 RIGHTS**

