

**SAO**

1 DAVID A. TANNER, Esq.  
2 Nevada Bar No. 8282  
3 **TANNER LAW FIRM**  
4 1320 East Pebble Road, Suite 115  
5 Las Vegas, NV 89123  
6 Telephone (702) 987-8888  
7 Facsimile (702) 410-8070  
8 david@tannerlawfirm.com  
9 *Attorney for Plaintiff*

7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

10 TERESA BASSI,  
11   
12 Plaintiff,  
13   
14 vs.  
15 SMITH’S FOOD AND DRUG CENTERS, INC.;  
16 DOES I through X, inclusive and ROE  
17 CORPORATIONS XI through XX, inclusive,  
18   
19 Defendants.

CASE NO. 2:17-cv-02929-RFB-NJK

**FIRST AMENDED STIPULATION**  
**AND ORDER TO AMEND**  
**COMPLAINT AND CAPTION AND**  
**FILE FIRST AMENDED**  
**COMPLAINT**

19 COMES NOW, Plaintiff, TERESA BASSI, by and through her attorney, David A.  
20 Tanner, Esq. of the Tanner Law Firm, and Defendant, SMITH’S FOOD AND DRUG  
21 CENTERS, INC., by and through its attorney, Jerry S. Busby, Esq. of Cooper Levenson, P.A.  
22 and hereby stipulate to amend the Caption and file the First Amended Complaint as follows:

23 WHEREAS the Complaint lists the Defendant as “SMITH’S FOOD AND DRUG  
24 CENTERS, INC.”;

25 WHEREAS the Defendant’s proper legal name is “SMITH’S FOOD & DRUG  
26 CENTERS, INC.”; and

27 WHEREAS the Parties wish to ensure that the Complaint and Caption are correct,  
28 therefore,

1 IT IS HEREBY STIPULATED that the Complaint and Caption be amended to reflect  
2 that the proper name of the Defendant is "SMITH'S FOOD & DRUG CENTERS, INC.";

3 IT IS FURTHER STIPULATED that the First Amended Complaint be filed (a copy is  
4 attached as Exhibit 1); and

5 IT IS FURTHER STIPULATED that the First Amended Complaint will relate back to  
6 the filing of the Complaint for all purposes, including the statute of limitations;

7 IT IS FURTHER STIPULATED that the Defendant's counsel will accept service of the  
8 First Amended Complaint.

9  
10  
11 Dated: March 26, 2018

Dated: March 26, 2018

12 **TANNER LAW FIRM**

**COOPER LEVENSON, P.A.**

13  
14 /s/ David A. Tanner

/s/ Jerry S. Busby

15 DAVID A. TANNER, ESQ.  
16 Nevada Bar No. 8282  
17 1320 East Pebble Road, Suite 115  
18 Las Vegas, Nevada 89123  
19 *Attorney for Plaintiff*

JERRY S. BUSBY, ESQ.  
Nevada Bar No. 1107  
1835 Village Center Circle  
Las Vegas, NV 89134  
*Attorney for the Defendant*

20  
21 **GRANTED.** The proposed amended  
22 complaint shall be filed on the docket as a  
23 separate document within 7 days.

**IT IS SO ORDERED.**

24   
United States Magistrate Judge

25 Dated: March 27, 2018  
26  
27  
28