

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA**

DENNIS THIERET, RONALD L.  
BUCKNER, DAVID S. BENDEL, DAVID D.  
McDONALD, MICHAEL CALLAHAN,  
MICHAEL D. DRAZICH, JOHN FARR,  
CHARLES LEGEZA, RONALD PERRIS,  
ERIC DeFAZIO, JOHN BRADFORD,  
RONALD LAWRENCE, DAVID M.  
NELSON, DAVE SIMPSON, FRANK  
CINICOLA, SCOTT URQUAHANT, DAVID  
CORNELIUS, DALTON MINERD,  
JEFFREY B. WHITFORD, MARK A.  
SUTHERIN, JR., RANDY DEVER, ROBERT  
THOMAS, MATTHEW RALSTON, PAT  
GOLDEN, DAVID H. HANEY, ERIC L.  
GROH, DAVID M. STITT, ROBERT  
SMITH, BRIAN GEISER, MICHAEL  
SCHUBERT, KEVIN E. SWEENEY,  
CHRISTIAN MARINI, THOMAS L.  
HANDERHAN, MICHAEL HARTLE and  
ARTHUR GOLDBERG,

Plaintiffs,

v.

PEPSI BEVERAGES COMPANY,

Defendant.

Case No. 2:11-cv-00644-GLL

Assigned to: Hon. Gary L. Lancaster

Complaint Filed: May 13, 2011

**STIPULATION TO CORRECT THE NAME  
OF DEFENDANT PEPSI BEVERAGES COMPANY**

Plaintiffs and Defendant Pepsi Beverages Company, collectively the "Parties,"  
hereby stipulate and agree as follows:

WHEREAS, Defendant Pepsi Beverages Company was named as defendant in Plaintiffs' Complaint filed on May 13, 2011;

WHEREAS, Pepsi Beverages Company is a fictitious trade name used by Bottling Group, LLC in the operations of its business;

WHEREAS, Bottling Group, LLC is a limited liability company registered under the laws of the State of Delaware; and

WHEREAS, the proper defendant in this matter is Bottling Group, LLC.

NOW THEREFORE, the Parties agree and stipulate that the proper defendant in this matter is Bottling Group, LLC and that all references to defendant are intended to refer to Bottling Group, LLC, not Pepsi Beverages Company.

**IT IS SO STIPULATED.**

Dated: August 19, 2011

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By /s/ Samantha D. Hardy  
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Attorneys for Defendant BOTTLING GROUP, LLC  
dba PBC.

Dated: August 19, 2011

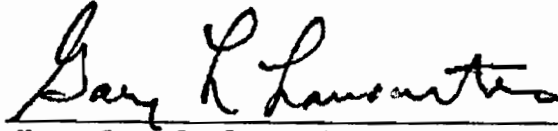
JUBELIRER, PASS & INTRIERI, P.C.

By /s/ Ernest B. Orsatti

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Attorneys for Plaintiffs.

SO ORDERED, this 22nd day of August, 2011.

  
\_\_\_\_\_, C.J.  
Hon. Gary L. Lancaster,  
Chief United States District Judge