

1 **SUTTON HATMAKER LAW CORPORATION**

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Attorneys for Plaintiff

7 SIMON V. GARCIA, individually and on behalf of all persons similarly situated

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

10 \* \* \*

11 SIMON V. GARCIA, an individual, )

12 Plaintiff, )

13 vs. )

14 GORDON TRUCKING, INC., a California )

Corporation, which will transact business in )

15 California as L GORDON; STEVE )

GORDON, an individual; BOB )

16 GOLDBERG, an individual; and Does 1 )

through 20, inclusive, )

17 Defendants. )

Case No. 1:10-CV-00324-OWW-SMS

**STIPULATION REGARDING  
PLAINTIFF’S FILING OF SECOND  
AMENDED COMPLAINT AND  
DEFENDANTS’ ANSWER TO SECOND  
AMENDED COMPLAINT; AND ORDER  
THEREON**

**Complaint Filed: February 23, 2010**

District Judge Oliver W. Wanger

Magistrate Judge Sheila K. Oberto

21 Plaintiff SIMON GARCIA (hereinafter, “PLAINTIFF”), by and through his counsel of  
22 record, and Defendants GORDON TRUCKING, INC., a California corporation, STEVE  
23 GORDON, an individual, and BOB GOLDBERG, an individual (hereinafter, collectively  
24 “DEFENDANTS”), by and through their counsel of record, hereby stipulate and agree as  
25 follows:



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**II.**

**ORDER**

Based on the above Stipulation of the parties and good cause appearing therefor,

IT IS HEREBY ORDERED THAT PLAINTIFF shall file and serve his proposed Second Amended Complaint, a true and correct copy of which is attached hereto as Exhibit "A," within five (5) days of entry of this Order.

IT IS HEREBY FURTHER ORDERED THAT DEFENDANTS will file and serve their Answer to PLAINTIFF's Second Amended Complaint within 10 days of the filing of said Second Amended Complaint.

IT IS SO ORDERED.

Dated: July 22, 2010

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE