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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH A. DE SOUZA, individually
and on behalf of all others similarly
situated,

Plaintiffs,

v.

PULTE HOME CORPORATION, DEL
WEBB HOMES; PULTE MORTGAGE;
DEL WEBB HOME FINANCE; DEL
WEBB MORTGAGE CORPORATION,
and DOES 1-1,000, inclusive

Defendants.

Case No. 2:08-CV-00337 LKK-GGH

**STIPULATION AND ORDER
GRANTING LEAVE TO FILE
FIRST AMENDED COMPLAINT**

Plaintiff JOSEPH A. DE SOUZA (“plaintiff”) and defendants sued as PULTE HOME CORPORATION, DEL WEBB HOMES, INC., PULTE MORTGAGE LLC, DEL WEBB HOME FINANCE, AND DEL WEBB MORTGAGE LLC¹ (collectively, “defendants”) submit the following Joint Stipulation and request that the Court grant plaintiff leave to file a First Amended Complaint pursuant to Rule 15(a) of the Federal Rules of Civil Procedure:

¹ Plaintiffs improperly named certain defendants in their Complaint. Specifically, Pulte Mortgage LLC was improperly sued as “Pulte Mortgage;” Del Webb Homes, Inc. was improperly sued as “Del Webb Homes;” Del Webb Mortgage LLC was improperly sued as “Del Webb Mortgage Corporation;” and Del Webb Home Finance is not a corporation, but a trade name for Pulte Mortgage LLC. These misnomers, however, are not material to this stipulation.

- 1 1. Plaintiff filed his complaint on December 4, 2007 in Placer County
- 2 Superior Court;
- 3 2. On February 13, 2008, defendants removed plaintiff's complaint to the
- 4 Eastern District of California;
- 5 3. On February 20, 2008, defendants filed and served their answer to
- 6 plaintiff's complaint;
- 7 4. The parties have met and conferred regarding the allegations contained in
- 8 plaintiff's proposed First Amended Complaint;
- 9

10 **NOW, THEREFORE**, the parties hereby stipulate and request that the Court
11 grant plaintiff leave to file a First Amended Complaint in this action, a true and
12 correct copy of which is attached as Exhibit A hereto.

13
14 **IT IS SO STIPULATED.**

15 Dated: May 12, 2008

By /S/ Paul Stevens

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22 Attorneys for Plaintiffs
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1 Dated: May 12, 2008

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18 CORPORATION, DEL WEBB HOMES, INC.,
19 PULTE MORTGAGE LLC, DEL WEBB
20 HOME

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ORDER

Good cause appearing therefor, IT IS HEREBY ORDERED that plaintiff is granted leave to file the First Amended Complaint, which is attached hereto as Exhibit A.

Dated: May 13, 2008.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

2800 Donald Douglas Loop North
Santa Monica, CA 90405