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Attorneys for: Plaintiff, LYDIA MONTOYA

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

LYDIA MONTOYA,

Plaintiff,

V.

## MANAGEMENT TRAINING CORPORATION (MTC)

Defendant(s).

Case No. 1:10-CV-00451-AWI-DLB

**STIPULATION AND ORDER  
ALLOWING PLAINTIFF TO FILE  
FIRST AMENDED COMPLAINT  
FOR DAMAGES**

**WHEREAS** on March 12, 2010, Plaintiff, LYDIA MONTOYA (“Plaintiff”) filed her Complaint for Wrongful Denotion, Age Discrimination, Gender Discrimination, Intentional Infliction of Emotional Distress, and Unfair Business Practices/Competition in this action against MANAGEMENT TRAINING CORPORATION (“Defendant”).

**WHEREAS** Plaintiff seeks to file her First Amended Complaint for Damages, which adds two causes of action for Wrongful Termination in violation of public policy and Retaliation.

**WHEREAS** a copy of Plaintiff's proposed First Amended Complaint for Damages is attached hereto as **Exhibit "A."**

**IT IS HEREBY STIPULATED**, by and between Plaintiff and Defendant, by and through their respective counsel, that:

1. Plaintiff should be granted leave to amend to file her First Amended Complaint for Damages, a copy of which is attached hereto as **Exhibit “A.”**

2. Defendant's responsive pleading shall be due thirty (30) days after the First Amended Complaint for Damages is filed.

DATED: January 28, 2011 JONES HELSLEY PC

By: /s/ Michael S. Helsley

Michael S. Helsley, Attorney for Plaintiff  
**LYDIA MONTOYA**

DATED: January 28, 2011 **SEYFARTH SHAW LLP**

By: /s/ William D. Bishop

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William D. Bishop, Attorney for Defendant  
**MANAGEMENT TRAINING CORPORATION**

## ORDER

The Court having reviewed the foregoing Stipulation, and good cause appearing therefore:

**IT IS HEREBY ORDERED** that Plaintiff, LYDIA MONTOYA is granted leave to amend to file her First Amended Complaint for Damages, a copy of which is attached hereto as **Exhibit “A.”**

**IT IS ALSO ORDERED** that Defendant's responsive pleading shall be due thirty (30) days after the First Amended Complaint for Damages is filed.

**IT IS FURTHER ORDERED** that the First Amended Complaint for Damages is deemed filed as of the date this Order is transmitted via the CM/ECF system.

IT IS SO ORDERED.

Dated: January 28, 2011

/s/ *Dennis L. Beck*  
UNITED STATES MAGISTRATE JUDGE