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

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

5 DATED: January 28, 2011       **JONES HELSLEY PC**

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8 By: /s/ Michael S. Helsley  
Michael S. Helsley, Attorney for Plaintiff  
9 LYDIA MONTOYA

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

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12 By: /s/ William D. Bishop  
13 William D. Bishop, Attorney for Defendant  
14 MANAGEMENT TRAINING CORPORATION  
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**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