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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUNE NEWIRTH, *et al.*,
Plaintiffs,
v.
AEGIS SENIOR COMMUNITIES LLC,
Defendant.

Case No. [16-cv-03991-JSW](#)

**ORDER GRANTING STIPULATED
MOTION TO AMEND THE
SCHEDULING ORDER, FOR LEAVE
TO FILE THIRD AMENDED
COMPLAINT AND FOR PERMISSIVE
JOINDER**

Re: Dkt. No. 202

United States District Court
Northern District of California

This matter comes before the Court upon consideration of the parties’ Stipulated Motion to Amend the Scheduling Order, For Leave to File Third Amended Complaint, and For Permissive Joinder (“Stipulated Motion”). The Court has considered the parties’ papers, relevant legal authority, and the record in this case, and it finds the motion is suitable for disposition without oral argument. *See* N.D. Civ. L.R. 7-1(b). The Court VACATES the hearing scheduled for May 7, 2021. For the reasons that follow, the Court GRANTS the motion.

The purpose of this Stipulated Motion is to effectuate the parties’ global settlement of this matter together with the related but the separate lawsuit pending in the King County Superior Court in Washington, *Morrison v. Aegis Senior Communities, LLC*, Case No. 18-2-06326-4 SEA (the “Washington Action”), which the parties presented concurrently with this motion. The Court addresses the motion for preliminary approval in a separate order.

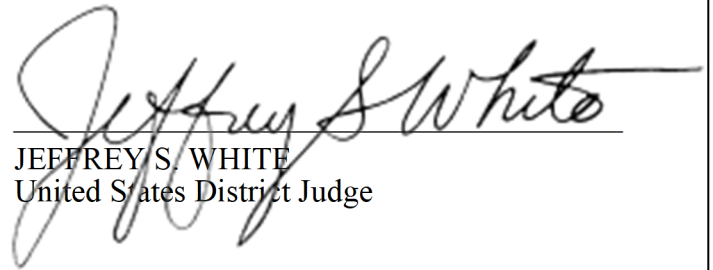
Plaintiffs and Defendant moved for relief pursuant to Federal Rules of Civil Procedure 15, 16, and 20, for an Order: [1] amending the operative scheduling order to [2] permit Plaintiffs leave to file the proposed Third Amended Complaint, [3] in order to permit the joinder of Carol Morrison to this action as an additional named Plaintiff and class representative and to add the Washington settlement class members as a subclass to this California action. The Court finds

1 good cause to grant the request.

2 Accordingly, the Court GRANTS the motion in its entirety. The scheduling order shall be
3 amended to permit the filing of the Third Amended Complaint. Plaintiffs shall file the Third
4 Amended Complaint upon the entry of this Order. Carol Morrison shall be permitted to join this
5 action as an additional named Plaintiff and class representative, and Kathi Troy is substituted in as
6 plaintiff as successor-in-interest to the estate of June Newirth.

7 **IT IS SO ORDERED.**

8 Dated: May 4, 2021

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10 JEFFREY S. WHITE
11 United States District Judge

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United States District Court
Northern District of California