ANDREA M. MILLER [SBN: 88992] 1 CRAIG S. MACGLASHAN [SBN: 071765] NAGELEY, MEREDITH & MILLER, INC. 2 8001 Folsom Boulevard, Suite 100 3 Sacramento, CA 95826 Telephone No: (916) 386-8282 4 Facsimile No: (916) 386-8952 5 Attorneys for Defendants REXON INDUSTRIAL, 6 POWER TOOLS SPECIALISTS & SEARS 7 FRED NORTON [SBN: 224725] KIERAN RINGGENBERG [SBN: 208600] 8 GEORGE F. CARPINELLO (Of Counsel) TERESA MONROE (Of Counsel) 9 **BOIES, SCHILLER & FLEXNER, LLP** 10 1999 Harrison St., Suite 900 Oakland, CA 94612 11 Telephone No: (510) 874-1000 Facsimile No: (510) 874-1460 12 Attorneys for Plaintiff DAVID DECRISTOFORO, JR. 13 14 IN THE UNITED STATES DISTRICT COURT 15 FOR THE EASTERN DISTRICT OF CALIFORNIA 16 17 DAVID DECRISTOFORO, JR., Case No.: 2:08-CV-00933-JAM-EFB 18 Plaintiff, STIPULATION AND ORDER TO VACATE SETTLEMENT CONFERENCE 19 VS. DATE: JULY 29, 2009 20 REXON INDUSTRIAL CORP., POWER TIME: 10:00 A.M. TOOLS SPECIALISTS, INC. and SEARS 21 ROEBUCK & CO., THE HONORABLE JUDGE WILLIAM B. SHUBB 22 Defendant. 23 24 The parties to this action hereby stipulate that the Settlement Conference in this 25 matter scheduled to take place on July 29, 2009 at 10:00 a.m. before The Honorable 26 Judge William B. Shubb per the Court's Minute Order be vacated due to scheduling 27 conflicts of counsel. The parties have agreed to address the issue of settlement at a later

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date.

1	1 DATED: July 24, 2009 NAGELEY,	MEREDITH & MILLER, INC.	
2	2 At	NDREA M. MILLER	
3	3 By:	/s/_ NDREA M. MILLER	
4		NDREA M. MILLER ney for Defendants REXON	
5	5 IND	UŠTRIAL, POWER TOOLS ECIALISTS & SEARS	
6			
7	7 DATED: July 24, 2009 BOIES, SCH	HILLER & FLEXNER, LLP	
8	8 TE	ERESA MONROE	
9	9 By:	/s/	
10	ll .	/s/ ERESA MONROE Attorneys for Plaintiff	
11	11 DAY	/ID DECRISTOFORO, JR.	
12			
13	ORDER		
14	The Court, having read the foregoing Stipulation and being fully apprised of the		
15	facts and circumstances, hereby vacates the Settlement Conference of July 29, 2009.		
16 17			
18		4	
19	UNITED STAT	ES DISTRICT COURT JUDGE	
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