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NORTHFIELD INSURANCE COMPANY

10 **UNITED STATES DISTRICT COURT**
11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

13 NORTHFIELD INSURANCE COMPANY, an
14 Iowa Corporation,

15 Plaintiff,

16 vs.

17 MILWAUKEE ELECTRIC TOOL
CORPORATION, a Delaware Corporation,
18 TTI, Inc. , a wholly owned subsidiary of
19 BERKSHIRE HATHAWAY, INC. dba
TECHTRONIC INDUSTRIES NORTH
20 AMERICA, INC., a Delaware Corporation,
SAMSUNG SDI CO., LTD. aka SAMSUNG
21 SDI, a Korean Entity and DOES 1-20 inclusive,

22 Defendants.

Case No.: 2:20-cv-01505-MCE-DMC

**STIPULATION AND ORDER FOR FILING
FIRST AMENDED COMPLAINT**

Complaint Filed: July 27, 2020

23
24 Plaintiff NORTHFIELD INSURANCE COMPANY (“NORTHFIELD”) and Defendants
25 MILWAUKEE ELECTRIC TOOL CORPORATION, a Delaware Corporation, (“METCO”) a wholly
26 owned subsidiary of TTI Group, submit the following Joint Stipulation and request that the Court grant
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28

1 Plaintiff NORTHFIELD leave to file a First Amended Complaint pursuant to Rule 15(a) of the Federal
2 Rules of Civil Procedure.

3 WHEREAS, Plaintiff NORTHFIELD filed a Complaint in this action on July 27, 2020;

4 WHEREAS, no Defendants have appeared to date in this action;

5 WHEREAS, Plaintiff NORTHFIELD, based upon records available online, sued “METCO”
6 related Defendants as follows:

7 MILWAUKEE ELECTRIC TOOL CORPORATION, a Delaware Corporation, TTI,
8 Inc., a wholly owned subsidiary of BERKSHIRE HATHAWAY, INC. dba
9 TECHTRONIC INDUSTRIES NORTH AMERICA, INC., a Delaware Corporation;

10 WHEREAS counsel for METCO has represented that the correct name-style and ownership
11 designation is “Milwaukee Electric Tool Corp (‘METCO’), wholly owned subsidiary of Techtronic
12 Industries Co. Ltd. (“Techtronic”);

13 WHEREAS counsel for METCO has represented that TTI, Inc, as a wholly owned subsidiary
14 of Berkshire Hathaway, has no connection to TTI Group or METCO, and thus should not be named as
15 a party to this action;

16 WHEREAS, Plaintiff NORTHFIELD seeks to amend the Complaint solely to address this
17 ownership allegation as it pertains to the manufacture and distribution of Milwaukee Tools, as follows;

18 MILWAUKEE ELECTRIC TOOL CORPORATION, a Delaware Corporation, a wholly owned
19 subsidiary of Techtronic Industries Co. Ltd. (“Techtronic”);

20 WHEREAS, Plaintiff NORTHFIELD’S filing of an amended complaint in the form of the First
21 Amended Complaint attached hereto as Exhibit “A”, will not cause undue prejudice to Defendants
22 MILWAUKEE ELECTRIC TOOL CORPORATION; a wholly owned subsidiary of Techtronic
23 Industries Co. Ltd. (“Techtronic”);

24 WHEREAS, Defendant MILWAUKEE ELECTRIC TOOL CORPORATION a wholly owned
25 subsidiary of Techtronic Industries Co. Ltd.; Answer to the First Amended Complaint shall be due
26 thirty (30) days after it is served via proof of service via U.S. Mail, and a courtesy copy via e-service
27 upon counsel for METCO.

ORDER

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


IT IS HEREBY ORDERED that Plaintiff NORTHFIELD is granted leave to amend to file its First Amended Complaint for Damages, a copy of which is attached hereto as Exhibit A.

IT IS ALSO ORDERED that Defendants MILWAUKEE ELECTRIC TOOL CORPORATION, a Delaware Corporation, a wholly owned subsidiary of Techtronic Industries Co. Ltd.'s ("Techtronic") Answer to the First Amended Complaint shall be due thirty (30) days after it is serviced upon counsel.

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

IT IS SO ORDERED.

Dated: October 16, 2020



MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE