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9 ATTORNEYS FOR PLAINTIFFS  
10 BRENDAN SCHMIDT AND DENISE SCHMIDT

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA-SAN FRANCISCO DIVISION

13 BRENDAN SCHMIDT AND DENISE  
14 SCHMIDT,

15 Plaintiffs,

16 vs.

17 PENTAIR, INC., DELTA  
18 INTERNATIONAL MACHINERY  
19 CORPORATION, BLACK & DECKER  
20 CORPORATION, BLACK & DECKER  
21 (U.S.), INC., AND HOME DEPOT U.S.A.,  
22 INC., DBA YARDBIRDS HOME CENTER,

23 Defendants.

Case No.: C08-04589 EMC

STIPULATION TO EXTEND CASE  
MANAGEMENT CONFERENCE  
ORDER

Case Filed: 10/02/08  
Trial Date:

24 Pursuant to the Federal Rules of Civil Procedure Rule 6(b) and Local Rule 6-2(a),  
25 Defendant BLACK & DECKER (U.S.) INC., incorrectly named as BLACK & DECKER  
26 CORPORATION and BLACK & DECKER (U.S.), INC. ("Defendant") and Plaintiffs  
27 BRENDAN SCHMIDT and DENISE SCHMIDT ("Plaintiffs") stipulate, through their respective  
28 counsels of record, as follows:

1. To extend the Case Management Conference currently scheduled for January 7, 2009 to March 4, 2009.
2. To extend the deadline for Plaintiffs and Defendant to file Rule 26(f) Report,

1 complete initial disclosures or state objection in Rule 26(f) Report and file Case Management  
2 Statement from December 31, 2008 to February 18, 2009.

3 3. Plaintiffs served a Notice of Lawsuit and Request for Waiver of Service of  
4 Summons on all Defendants between November 28, 2008 and December 2, 2008. Pursuant to  
5 the Federal Rules of Civil Procedure, Defendants' deadline to respond to Plaintiffs' Complaint is  
6 extended to sixty days to January 24, 2009. (Fed. R. Civ. P. 4(d)(3); 12).

7 4. To the best of Plaintiffs' knowledge, Defendants PENTAIR, INC., DELTA  
8 INTERNATIONAL MACHINERY CORPORATION, and HOME DEPOT U.S.A., INC., DBA  
9 YARDBIRDS HOME CENTER are not yet represented by counsel.

10 5. In order to afford the parties time to respond to the complaint and meet and confer  
11 to discuss substantive and procedural issues, Plaintiffs and Defendant, by and through their  
12 counsel, hereby stipulate pursuant to Federal Rules of Civil Procedure Rule 6(b) and Local Rule  
13 6-2(a), to extend the Case Management Conference to March 4, 2009, following Defendants'  
14 deadline to respond to Plaintiffs' Complaint.

15 6. Plaintiffs and Defendant further stipulate to extend the time to file Rule 26(f)  
16 Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case  
17 Management Statement from December 31, 2008 to February 18, 2009, following Defendants'  
18 deadline to respond to Plaintiffs' Complaint.

19 7. Plaintiffs and Defendant stipulate that this Stipulation may be executed in  
20 counterparts, each of which shall be considered an original and all of which together shall be  
21 deemed one and the same instrument. Plaintiffs and Defendant further stipulate that a copy of a  
22 signature transmitted by any electronic means including, but not limited to, facsimile machine

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1 and scanned document transmitted via e-mail will have the same force and effect as an original  
2 signature.

3  
4 DATED: December 31, 2008

HINTON, ALFERT & SUMNER,  
A Professional Corporation

5  
6  
7 By Elise R. Sanguinetti  
8 Elise R. Sanguinetti  
9 ATTORNEYS FOR PLAINTIFFS,  
BRENDAN SCHMIDT AND DENISE  
SCHMIDT.

10  
11 DATED: December 31, 2008

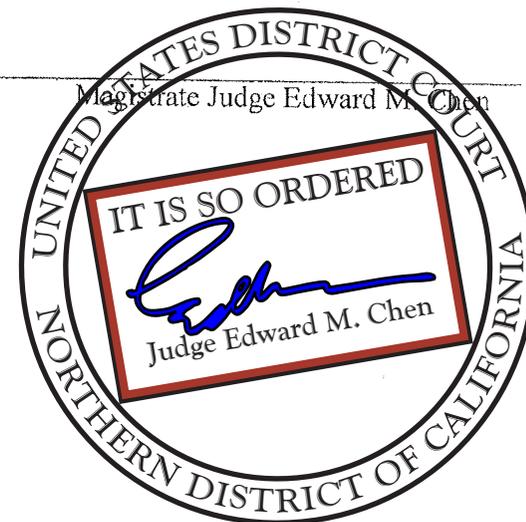
LYNCH, GILARDI & GRUMMER  
A Professional Corporation

12  
13  
14 By Robert T. Lynch  
15 Robert T. Lynch  
16 Elia M. DeLuca  
17 ATTORNEYS FOR DEFENDANT,  
BLACK & DECKER (U.S.) INC.

18 GOOD CAUSE APPEARING THEREFORE, the stipulation extension is so ordered.

19  
20 DATED: January 5, 2009

Magistrate Judge Edward M. Chen



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