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20	UNITED STATES DISTRICT COURT		
21	NORTHERN DISTRICT OF CALIFORNIA		
22			
	ANTHONY BOOKHAMER, a minor, by and	Case No. 09-CV-06027 MHP	
23	through his Guardian ad Litem, LENA J.		
24	TRYON; LENA J. TRYON, as Personal	STIPULATION AND [PROPOSED]	
-	Representative of the Estate of Victoria	ORDER ALLOWING PLAINTIFFS TO FILE A THIRD-AMENDED	
25	Disilvestro; CHARLES THOMAS MARTIN,	COMPLAINT	
26	JR.; CARL DISILVESTRO, a minor, by and		
20	through his Guardian ad Litem, MARY		
27	DISILVESTRO,		
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1	Plaintiffs,)		
2	vs.		
3	SUNBEAM PRODUCTS, INC.,		
4	j j		
5	Defendant.		
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7	It is hereby stipulated by and between the parties, Plaintiffs, Anthony Bookhamer, by and		
8	through his Guardian ad Litem, Lena J. Tryon; Lena J. Tryon, as Personal Representative of the		
9	Estate of Victoria DiSilvestro; Charles Thomas Martin, Jr.; and Carl DiSilvestro, a minor, by and		
10	through his Guardian ad Litem, Mary DiSilvestro; and Defendant Sunbeam Products, Inc. that		
11	Plaintiffs may file a third amended complaint.		
12	The basis of this stipulation is that Plaintiffs filed their Second Amended Complaint on August		
13	18, 2010, before receiving the Court's Order of August 25, 2010 on Sunbeam Products, Inc.'s		
14	Motion to Strike. Plaintiffs filed by August 18 based upon their understanding of the Civil Pretrial		
15	Minutes after the hearing, which stated "Ordered After Hearing: "2 nd amended complaint to be		
16	filed within 30 days of order."		
17	On August 25, 2010, the Court issued the Order on Sunbeam Product, Inc.'s Motion to		
18	Strike, providing that Plaintiffs have 30 days to file an amended complaint. Since the Second		
19	Amended Complaint does not fully comply with the Court's August 25, 2010 Order, Plaintiffs seek		
20	leave to file a third-amended complaint. Defendant agrees that Plaintiffs may file a third amended		
21	complaint consistent with the August 25, 2010 Order, which provides:		
22	Within thirty (30) days of the date of this order, plaintiffs shall file a second amended		
23	complaint in compliance with this order. Defendant shall file an answer within thirty (30) days of the filing of the amended complaint.		
24	days of the filling of the amended complaint.		
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IT IS SO STIPULATED.

1	IT IS SO STILULATED.		
2	DATED: September 2, 2010	MARY ALEXANDER & ASSOCIATES, P.C.	
3			
4		By: /s/ Mary E. Alexander	
5		Mary E. Alexander, Esq. Jennifer L. Fiore, Esq.	
6		Attorneys for Plaintiffs	
7	DATED: September 2, 2010	CARROLL, BURDICK & MCDONOUGH, LLP	
8			
9		By: /s/ Garrett Sanderson, III S. Mark Varney, Esq.	
10		Garrett Sanderson, III, Esq.	
11		Peter H. Cruz, Esq. Attorneys for Defendant	
		Anorneys jor Dejendani	
12			
13	PURSUANT TO STIPULATION, IT IS SO ORDERED. Plaintiffs may file a third		
14	amended complaint by September 24, 2010. Defendant shall file an answer within thirty (30)		
15			
16	and the same same same same same same same sam	led complaint.	
17 18	0/9		
19	DATED: _9/8, 2010	THE HONORARI IT IS SO ORDERED L	
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21	Judge Marilyn H. Patel OF THE PARTIES OF CHAPTER AND INTERIOR OF CHAPTER AND		
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