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10 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 ANTHONY BOOKHAMER, a minor, by and
14 through his Guardian ad Litem, LENA J.
15 TRYON; LENA J. TRYON, as Personal
16 Representative of the Estate of Victoria
17 DiSilvestro; CHARLES THOMAS MARTIN,
18 JR.; CARL DISILVESTRO, a minor, by and
19 through his Guardian ad Litem, MARY
20 DISILVESTRO,

21 Plaintiffs,

22 vs.

23 SUNBEAM PRODUCTS, INC.,

24 Defendant.

Case No. 09-CV-06027 EMC (DMR)

**PLAINTIFFS' REQUEST FOR A
FURTHER CASE MANAGEMENT
CONFERENCE**

25 This action was filed on December 23, 2009 and initially assigned to the Honorable
26 Marilyn Hall Patel (now retired). The action was reassigned to this Court on June 6, 2011.

27 On June 21, 2011, the parties filed a Joint Further Case Management Conference
Statement in accordance with the June 6, 2011 Order. Plaintiffs requested that a further
conference be set at that time. Defendant requested that a case management conference be set no

1 earlier than October 2011.

2 On December 21, 2011, Plaintiffs' counsel requested that Defendant Sunbeam Products
3 Inc. stipulate to the setting of a case management conference since it had been some time since the
4 case was reassigned. (A true and correct copy of the stipulation presented to Sunbeam's counsel,
5 Garrett Sanderson III, is attached as Exhibit 1.)

6 On December 22, 2011, defense counsel, Stephen Moffett, advised that they were unable
7 to consent to the setting of a conference at this time.

8 Plaintiffs respectfully request that a case management conference be set so that pretrial and
9 trial dates can be set in order to move this matter (which has been pending for two years) more
10 expeditiously.

11
12 Respectfully submitted,

13 DATED: December 23, 2011 MARY ALEXANDER & ASSOCIATES, P.C.

14
15 By: /s/
16 Mary E. Alexander, Esq.
17 Jennifer L. Fiore, Esq.
18 *Attorneys for Plaintiffs*
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EXHIBIT 1

1 MARY E. ALEXANDER, ESQ. (SBN: 104173)
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19 Attorneys for Defendant

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA

22 ANTHONY BOOKHAMER, a minor, by and
23 through his Guardian ad Litem, LENA J.
24 TRYON; LENA J. TRYON, as Personal
25 Representative of the Estate of Victoria
26 DiSilvestro; CHARLES THOMAS MARTIN,
27 JR.; CARL DISILVESTRO, a minor, by and
through his Guardian ad Litem, MARY
DISILVESTRO,

Plaintiffs,

vs.

SUNBEAM PRODUCTS, INC.,

Defendant.

Case No. 09-CV-06027 EMC (DMR)

**STIPULATION AND [PROPOSED]
ORDER SETTING CASE
MANAGEMENT CONFERENCE**

1 It is hereby stipulated by and between the parties, Plaintiffs, Anthony Bookhamer; Lena J.
2 Tryon, as Personal Representative of the Estate of Victoria DiSilvestro; Charles Thomas Martin,
3 Jr.; and Carl DiSilvestro; and Defendant Sunbeam Products, Inc. that a Case Management
4 Conference be set.

5 IT IS SO STIPULATED.

6 DATED: December ____, 2011 MARY ALEXANDER & ASSOCIATES, P.C.

7
8 By: _____
9 Mary E. Alexander, Esq.
10 Jennifer L. Fiore, Esq.
11 *Attorneys for Plaintiffs*

12 DATED: December ____, 2011 CARROLL, BURDICK & MCDONOUGH, LLP

13 By: _____
14 S. Mark Varney, Esq.
15 Garrett Sanderson, III, Esq.
16 *Attorneys for Defendant*

17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18 A case management conference is set for 1/20/12 at _____
19 9:00 a.m. A joint CMC Statement shall be filed by 1/13/12.

20 DATED: 12/28 _____, 2011

21 THE HONORABLE EDWARD M. CHEN

