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17 UNITED STATES DISTRICT COURT
 18
 19 NORTHERN DISTRICT OF CALIFORNIA

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

Case No. 09-CV-06027 ~~MHP~~ EMC
**STIPULATION AND [PROPOSED]
 ORDER PERMITTING PLAINTIFFS TO
 COMPLETE THE DEPOSITION OF
 RICHARD PRINS AND CONTINUING
 THE DEADLINE FOR THE REPORT
 OF PLAINTIFFS' EXPERT WENDELL
 HULL AND ANY REBUTTAL
 THERETO**

1 It is hereby stipulated by and between the parties, Plaintiffs, Anthony Bookhamer, by and
2 through his Guardian ad Litem, Lena J. Tryon; Lena J. Tryon, as Personal Representative of the
3 Estate of Victoria DiSilvestro; Charles Thomas Martin, Jr.; and Carl DiSilvestro; and Defendant
4 Sunbeam Products, Inc. that the last day for Plaintiffs to produce the written report of expert
5 Wendell Hull, Ph.D., be extended to October 26, 2012, so that Plaintiffs can conclude the
6 deposition of Sunbeam's Person Most Knowledge and Senior Product Safety Engineer, Richard
7 Prins, on October 23, 2012.

8 The basis of this stipulation is that Sunbeam was not able to produce Mr. Prins for the
9 conclusion of his deposition before the discovery cut-off date of August 24, due to Mr. Prins'
10 schedule and family health issues. Sunbeam had agreed to produce Mr. Prins for deposition on
11 September 25, 2012. Due to a health issue with his family, Mr. Prins had to reschedule. Sunbeam
12 first advised Plaintiffs of the need to reschedule on September 19, 2012. The earliest Sunbeam can
13 produce Mr. Prins is now October 23, 2012.

14 Expert disclosures were to occur on September 14, 2012. Because Sunbeam was
15 producing Mr. Prins after September 14, the parties agreed that they would disclose experts on
16 September 28, 2012 (three days after Prins' deposition). This was so that Plaintiffs' engineering
17 expert could review the deposition before producing his expert report. On September 28, the
18 parties disclosed experts. Per the parties' agreement of September 27, 2012, Plaintiffs named Dr.
19 Hull, but did not produce his report. Because Sunbeam was not able to produce Mr. Prins before
20 Plaintiffs had to disclose expert witnesses, the parties agreed on September 27 that Plaintiffs could
21 have additional time for Dr. Hull to produce his written report and that Sunbeam would have
22 additional time to file a rebuttal to Dr. Hull's report.

23 The parties, therefore, hereby stipulate and respectfully request that Plaintiffs be permitted
24 to conclude the deposition of Mr. Prins on October 23, 2012, that the last day for Plaintiffs to
25 produce the written report of Dr. Hull be extended to October 26, 2012, and that Sunbeam have
26 until November 16, 2012 to file any rebuttal report to Dr. Hull's report.

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IT IS SO STIPULATED.

DATED: October 4, 2012 MARY ALEXANDER & ASSOCIATES, P.C.

By: /s/ Mary E. Alexander
Mary E. Alexander, Esq.
Jennifer L. Fiore, Esq.
Attorneys for Plaintiffs

DATED: October 4, 2012 CARROLL, BURDICK & MCDONOUGH, LLP

By: /s/ S. Mark Varney
S. Mark Varney, Esq.
Garrett Sanderson, III, Esq.
Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The last date for Plaintiffs to conclude the deposition of Mr. Prins is October 23, 2012.

The last day for Plaintiffs to produce the expert report of Dr. Hull is October 26, 2012. Sunbeam will have until November 16, 2012 to file any rebuttal report to Dr. Hull's report.

DATED: October 5, 2012

THE HONORABLE EDWARD M. CHEN