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7 **Attorney for Claimant Raymond Pestalozzi**

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 **RAYMOND PESTALOZZI, an Individual**
11 **DBA THINK SECURE LABS**

12 **Plaintiff,**

13 **v.**

14 **PATEK PHILIPPE S. A. , THIERRY**
15 **STERN, an Individual.**

16 **Defendants.**

17 **Case No: CV101558**

18 **REQUEST FOR CONTINUANCE OF**
19 **CASE MANAGEMENT CONFERENCE**
20 **SET FOR MARCH 30, 2011**

21 **(Proposed) ORDER**

22 **Honorable Magistrate Judge Chen**

23 **TO ALL PARTIES AND THEIR ATTORNEYS, Plaintiff Raymond Pestalozzi**
24 **Requests that the Case Management Conference set for March 30, 2011 be continued for the**
25 **following reasons;**

- 26 1. Defendants Patek Philippe S.A and Thierry Stern have no legal presence in the
27 United States of America but reside, operate and are incorporated in the Country
28 of Switzerland on the Continent of Europe.
2. Service of Process must be made through The Hague Service Convention.
3. All documents are to be translated into French for service in the native language.
4. The Law Offices of James M. Barrett PLC are utilizing the services of Crowe
Foreign Services of Portland, Oregon for service of the defendants.
5. Crowe Foreign Services are recognized as a foreign service organization.

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- 1 6. Crowe Foreign Services has provided sufficient information that the service of the
2 complaint and associated documents will take a minimum of three months from
3 March 30, 2011 to serve of the Defendants.
- 4 7. Plaintiff Pestalozzi has been hampered with medical conditions including a stroke
5 which prevented his ability to prepare all pleadings' translation for the service of
6 process.
- 7 8. Plaintiff Pestalozzi has been recovering and just this month March has he been
8 able to begin the communication necessary to complete the translation for service.
- 9 9. That Plaintiff hereby requests that the Case Management Conference be continued
10 for a period of five months to insure service or process and a proper response from
11 Defendants.

12 This continuance is hereby requested based on the above information and judicial
13 efficiency is best served by this continuance.

14 Dated: March 18, 2011

Respectfully submitted,

The Law Office of JAMES M. BARRETT PLC

By: _____

James M. Barrett
JAMES M. BARRETT
ATTORNEY FOR PLAINTIFF

19 Having reviewed the Request for Continuance from Plaintiff, including the statements
20 regarding the requirements for service of process of the complaint it is the Order of this Court
21 that the Case Management Conference set for March 30, 2011 is hereby continued to
22 September 14 2011.

24 IT IS SO ORDERED.

25 DATED: March 22, 2011
26 _____

