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8 UNITED STATES DISTRICT COURT  
 9  
 10 NORTHERN DISTRICT OF CALIFORNIA

11	SHIRLEY MAXINE SMART, et al.,	)	Case No. C10-03353
12	Plaintiffs,	)	
13	v.	)	<b>JOINT STIPULATION IN</b>
14	CARRIER CORPORATION,	)	<b>ACCORDANCE WITH CIVIL L.R. 6-2</b>
15	Defendant.	)	<b>AND 7-12 REQUESTING</b>
16		)	<b>ENLARGEMENT OF TIME TO FILE</b>
17		)	<b>ADR CERTIFICATION IN</b>
		)	<b>ACCORDANCE WITH CIVIL L.R. 16-8</b>
		)	<b>(b) AND ADR L.R. 3-5 (b);</b>
		)	
		)	Complaint Filed: June 30, 2010

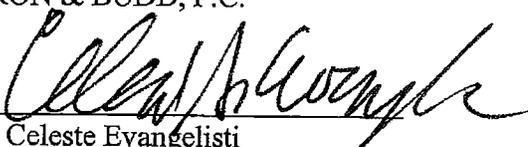
18 Plaintiff, Shirley Maxine Smart, Individually and as Successor-In-Interest to Lawrence  
 19 Smart, Deceased ("Plaintiff"), and Carrier Corporation ("Defendant) enter into this stipulation  
 20 in accordance with Civil L.R. 6-2 and 7-12 requesting enlargement of time to file ADR  
 21 Certification in accordance with Civil L.R. 16-8 (b) and ADR L.R. 3-5 (b). This court's order  
 22 Setting Initial Case Management Conference provided a deadline of October 15, 2010 to meet  
 23 and confer regarding initial disclosures, early settlement, ADR Process selection, and discovery  
 24 plan. In addition, the order provided a deadline of October 15, 2010 to file the Notice of Need  
 25 for ADR Phone Conference and ADR Certification signed by Parties and Counsel. Counsel for  
 26 Plaintiff and Defendant have met and conferred in accordance with the Order Setting Initial  
 27

1 Case Management Conference and ADR Deadlines. Plaintiff and Defendant are simultaneously  
 2 filing the Notice of Need for ADR Phone Conference with this stipulation. However, Plaintiff  
 3 and Defendant need additional time to obtain each parties signature on the ADR Certification  
 4 by Parties and Counsel form. Counsel for Plaintiff has attempted to contact Mrs. Smart on  
 5 numerous occasions to obtain the necessary signature on the ADR Certification by Parties and  
 6 Counsel form, but has been unsuccessful. Both Plaintiff and Defendant are working diligently  
 7 to obtain the necessary signatures in accordance with this court's request. Plaintiff and  
 8 Defendant respectfully request until Friday, October 29, 2010 to provide the signed ADR  
 9 Certification by Parties and Counsel form. This is the first request for time modification in this  
 10 case by either stipulation or court order. As this court is aware, the Initial Case Management  
 11 Conference is scheduled on November 5, 2010. Plaintiff and Defendant do not believe the  
 12 request for enlargement of time to provide the signed ADR Certification by Parties and Counsel  
 13 form will effect the current schedule for this case.

14  
 15  
 16 Plaintiff and Defendant respectfully request the court's approval to this Joint Stipulation  
 17 in Accordance with Civil L.R. 6-2 and 7-12 for Enlargement of Time to File ADR Certification  
 18 in Accordance with Civil L.R. 16-8 (b) and ADR L.R. 3-5 (b).

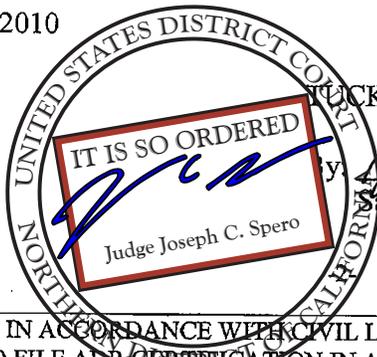
19 Dated: October 15, 2010

20 BARON & BUDD, P.C.

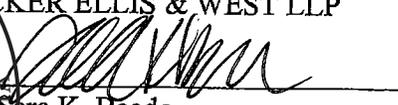
21 By:   
 22 Celeste Evangelisti

23 Dated: October 15, 2010

24 Dated: 10/18/10



25 MUCKER ELLIS & WEST LLP

26   
 27 Sara K. Beede