

1 Joseph M. Alioto, (SBN 42680)
 Theresa D. Moore, (SBN 99978)
 2 Angelina Alioto-Grace, (SBN206899)
 Joseph M. Alioto, Jr., (SBN 215544)
 3 **ALIOTO LAW FIRM**
 555 California Street, Suite 3160
 4 San Francisco, CA 94104
 (415) 434-8900
 5 (415) 434-9200 fax

6 Russell F. Brasso, Esq. (SB No. 85417)
FOREMAN & BRASSO
 7 930 Montgomery Street, Suite 600
 San Francisco, CA 94133
 8 (415) 433-3475
 (415) 781-8030 fax

9 Zane D. Negrych, Esq. (SB No. 171025)
 10 **LAW FIRM OF ZANE D. NEGRYCH**
 471 Galen Drive
 11 San Jose, California 95123
 Telephone: (408) 629-7595
 12 Facsimile: (408) 629-9900

13 Attorneys for Plaintiffs

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN JOSE DIVISION**

17 ADVANCED MICROTHERM, INC.;
 18 HVAC SALES, INC.,

19 Plaintiffs,

20 v.

21 NORMAN WRIGHT MECHANICAL
 EQUIPMENT CORPORATION;
 22 RICHARD LEAO; TEMPCO, INC.; and
 F. W. SPENCER & SON, INC., et al

23 Defendants.

CASE NO. C04-02266 JW

STIPULATED ORDER
REGARDING RICHARD YATES
DEPOSITION

Judge: Hon. James Ware
 Mag. Judge: Hon. Patricia V. Trumbull

24 _____)
 25 AND RELATED CROSS-CLAIMS)
 26 _____)

28 STIPULATED ORDER
 REGARDING YATES
 DEPOSITION

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 WHEREAS, Richard Yates has been subpoenaed by Plaintiffs to be deposed in Manhattan
3 Beach, California on August 11, 2009 at the time and place noted on the subpoena and
4 accompanying Notice of Deposition and Request to Produce Documents;

5 WHEREAS, Norman Wright's counsel requests that the deposition of Richard Yates be
6 changed to August 12, 2009 or August 14, 2009 at the same time and location;

7 WHEREAS, counsel for Richard Yates is willing to make Mr. Yates available in San
8 Francisco at a location, date, and time agreeable to Plaintiffs' counsel provided Mr. Yates is
9 reimbursed for his air fare by counsel collectively or Plaintiffs' counsel, individually;

10 WHEREAS, counsel for Richard Yates will produce Mr. Yates in accordance with the above
11 terms provided Mr. Yates is not re-deposed on the same exhibits and the same questioning that
12 occurred during Mr. Yates previous depositions on April 5-6, 2007 when he was extensively cross-
13 examined by Norman Wright Mechanical Equipment Company, Inc. and counsel for the Plaintiffs.

14 NOW, THEREFORE, the parties agree and the Court orders:

- 15 1. The deposition of Richard Yates will commence on August 14, 2009 at 10:00 a.m. at
16 the Law Offices of Foreman & Brasso and will continue for no more than 7 hours.

17
18
19
20
21
22
23
24
25
26
27

IT IS SO ORDERED:

Dated: 8/11, 2009


PATRICIA V. TRUMBULL
United States Magistrate Judge

28 STIPULATED ORDER
REGARDING YATES
DEPOSITION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SO STIPULATED:

Dated: August ____ 2009

BARTKO, ZANKEL, TARRANT & MILLER
A Professional Corporation

SEDGWICK, DETERT, MORAN, & ARNOLD, LLP

LEONIDOU & ROSIN
Professional Corporation

By: _____
/s/
Robert H. Bunzel
Lisa Wright
Attorneys for Defendant
Norman Wright Mechanical Equipment, Inc.

Dated: August ____ 2009

ALIOTO LAW FIRM
FOREMAN & BRASSO
LAW FIRM OF ZANE D. NEGRYCH

By: _____
/s/
Russell F. Brasso
Attorney for Plaintiffs

Dated: August ____ 2009

McInerny & Dillon, P.C.

By: _____
/s/
William J. McGahan
Cassie Aaronson
Attorneys for Defendant
F.W. Spencer & Sons, Inc.

STIPULATED ORDER
REGARDING YATES
DEPOSITION