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7 Attorneys for Plaintiff  
 CAROL LOEB SCHLOSS

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN JOSE DIVISION

13 CAROL LOEB SCHLOSS,

14 Plaintiff,

15 v.

16 SEÁN SWEENEY, in his capacity as trustee  
 of the Estate of James Joyce, and THE  
 17 ESTATE OF JAMES JOYCE,

18 Defendant.

19 and

20 CAROL LOEB SCHLOSS,

21 Plaintiff,

22 v.

23 STEPHEN JAMES JOYCE, in his individual  
 capacity and in his capacity as a Trustee of  
 24 The Estate of James Joyce,

25 Defendant.

Case No. CV 06-3718 (JW) (HRL)

**DECLARATION OF DOROTHY R.  
 MCLAUGHLIN IN SUPPORT OF  
 ADMINISTRATIVE MOTION TO  
 CONSIDER WHETHER CASES SHOULD  
 BE RELATED**

Judge: The Honorable James Ware

Date Compl. Filed: January 25, 2007

1 I, DOROTHY R. MCLAUGHLIN, declare and state:

2 1. I am an attorney duly licensed to practice law in the State of California and am an  
3 associate with the law firm of Kecker & Van Nest LLP (“KVN”), representing the plaintiff in the  
4 above-captioned proceeding. I have personal knowledge of the facts set forth herein, and if  
5 called to testify as a witness thereto, could do so competently under oath.

6 2. On January 29, 2007, I delivered by email a conformed copy of the complaint in  
7 *Shloss v. Stephen James Joyce*, asking if counsel (Maria K. Nelson) for Sean Sweeney, trustee  
8 for the Estate of James Joyce (“Estate”), and the Estate would accept service of the complaint on  
9 Stephen Joyce’s behalf.

10 3. Nelson responded the next day, January 30, 2007, with an email stating that she  
11 would consider the request.

12 4. To date Nelson has not responded whether she will accept service on Stephen  
13 Joyce’s behalf.

14 5. On February 13, 2007 around 1 p.m., I sent an email to Nelson, attaching a  
15 proposed stipulation pursuant to Local Rules 3-12, 7-11, and 7-12, asking if Nelson would  
16 stipulate to seeking this Court’s consideration of the above-mentioned cases as related under  
17 Local Rule 3-12.

18 6. On February 13, 2007, around 4:30 p.m., I left a voicemail message for Nelson,  
19 asking if she would stipulate to this Court’s consideration of these cases as related.

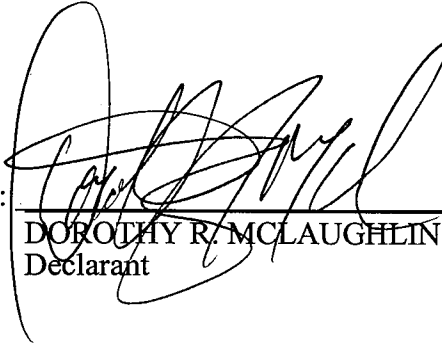
20 7. To date, Nelson has not responded and I have thus been unable to obtain a  
21 stipulation under Local Rule 7-11.

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1           8. Pursuant to Local Rule 7-11, I therefore submit this declaration as an explanation  
2 of why a stipulation could not be obtained.

3           I declare under penalty of perjury of the laws of the State of California that the foregoing  
4 is true and correct and that this declaration was executed on February 14, 2007 at San Francisco,  
5 California.

6 Dated: February 14, 2007

7  
8 By:   
9 DOROTHY R. MCLAUGHLIN  
10 Declarant

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