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 CAROL LOEB SHLOSS

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

13 CAROL LOEB SHLOSS,
 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 Defendants.

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 Comp. Filed: June 12, 2006

19 CAROL LOEB SHLOSS,
 20 Plaintiff,
 21 v.
 22 STEPHEN JAMES JOYCE, in his individual
 capacity and in his capacity as a Trustee of
 23 The Estate of James Joyce,
 24 Defendant.
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 27
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Case No. C 07-00517 (MEJ)

Judge: The Honorable Magistrate Judge
 Maria Elena James

Date Comp. 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*, Case No. C 07-00517 (MEJ), asking if counsel (Maria K.
8 Nelson) for Sean Sweeney, trustee for the Estate of James Joyce (“Estate”), and the Estate would
9 accept service of the complaint on 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. On February 13, 2007 around 1 p.m., I sent an email to Nelson, attaching a
13 proposed stipulation pursuant to Local Rules 3-12, 7-11, and 7-12, asking if Nelson would
14 stipulate to seeking this Court’s consideration of the above-mentioned cases as related under
15 Local Rule 3-12.

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

18 6. On Thursday, February 15, 2007, Nelson responded in an email that she will not
19 accept service of the complaint in *Shloss v. Stephen James Joyce*, Case No. C 07-00517 (MEJ),
20 on behalf of Stephen Joyce.

21 7. Also on Thursday, February 15, 2007, Nelson stated in an email that *Shloss v.*
22 *Stephen James Joyce*, Case No. C 07-00517 (MEJ), and *Shloss v. Sweeney*, Case No. CV 06-
23 3718 (JW) (HRL), should be related.

24 8. Because Nelson has not accepted service on Joyce’s behalf and Joyce, who
25 resides overseas, has not yet been served, I have not been able to obtain a stipulation concerning
26 this motion.

27 9. Pursuant to Local Rule 7-11, this declaration is thus submitted as an explanation
28

1 of why a stipulation could not be obtained.

2 I declare under penalty of perjury of the laws of the State of California that the foregoing
3 is true and correct and that this declaration was executed on February 15, 2007 at San Francisco,
4 California.

5 /S/ DOROTHY R. MCLAUGHLIN

6 DOROTHY R. MCLAUGHLIN

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