

1 John A Stottlemire
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 6 Defendant, pro se

7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA
 9 SAN JOSE DIVISION

10 COUPONS, INC., a California corporation,) Case No.: 5:07-cv-03457-HRL
11 Plaintiff,)
12 vs.) DECLARATION OF JOHN
13 JOHN STOTTMIRE) STOTTMIRE IN SUPPORT OF
14 Defendant) DEFENDANTS ADMINISTRATIVE
) MOTION TO EXTEND TIME TO
) ANSWER THE THIRD AMENDED
) COMPLAINT
) Courtroom: 2, 5 th Floor
) Judge: Hon. Howard R. Lloyd

17 I, John Stottlemire, hereby declare:

18 1. I am the Defendant in this action. I state all facts herein of my own first hand
 19 knowledge, and if called as a witness, I could and would competently testify thereto.

20 2. I am a *pro se* litigant and require additional time to file an answer and counter-
 21 claims to the third amended complaint.

22 3. My wife, Anishia Pavithran, is currently employed by Mervyns, LLC
 23 (“Mervyns”) in its Hayward, CA headquarters.

24 4. My wife is also 7 months pregnant and is expected to give birth at the end of
 25 January 2009 or beginning of February 2009.

26 5. Mervyns filed Chapter 11 Bankruptcy protection during the month of July 2008.

27
 28 Declaration of John Stottlemire in support of Administrative Motion to Extend Time to Respond
 to Third Amended Complaint.
 No. C-07-03457 HRL

1 6. Three weeks ago, the CEO of Mervyns announced to all employees that Mervyns
2 would liquidate all assets under Chapter 11 Bankruptcy proceedings and would cease operations
3 at conclusion of the liquidation.

4 7. After the CEO's announcement, Mervyns laid-off all but 92 of its employees
5 located at its corporate office in Hayward, CA. The 92 remaining employees were approved for
6 continued employment with Mervyns by the Bankruptcy Court and were selected because of
7 their unique abilities and required presence to assist Mervyns in winding down its operations.

8 8. My wife was selected to continue employment with Mervyns to assist in winding
9 down its operations. Her last day of employment will be November 30, 2008.

10 9. Immediately upon learning of Mervyns' plan to liquidate all assets and cease
11 operations, my wife began looking for employment.

12 10. On Friday, November 7, 2008 my wife was offered and accepted employment
13 from RalphLauren.com and begins her employment on December 1, 2008.

14 11. To accept employment with RalphLauren.com, our family is required to relocate
15 to North Carolina.

16 12. I am a stay-at-home-dad with the primary responsibility of caring for our two
17 small children, JGS age 3 years 10 months and KAS age 2 years 6 months.

18 13. During the next three weeks, while my wife is fulfilling her responsibilities
19 entrusted to her by Mervyns it will be my responsibility to pack our personal belongings, obtain
20 medical and school records, arrange shipment of our household items, arrange shipment of our
21 vehicles, and other duties which will ensure a painless and efficient relocation from Fremont, CA
22 to North Carolina.

23 14. We expect our household items to be shipped on or before November 28, 2008.
24 These household items include, but are not limited to, the computer I use to research and prepare
25 documents related to this immediate action.

26 15. After arriving in North Carolina our family will be in temporary housing for up to
27 30 days while we obtain permanent housing. I will begin looking for permanent housing
28 immediately upon arriving in North Carolina.

Declaration of John Stottlemire in support of Administrative Motion to Extend Time to Respond
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