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8 CARMELO (CARL) FERRIGNO

**\*E-FILED - 2/25/10\***

9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 CARL FERRIGNO,

12 Plaintiff,

13 vs.

14 PHILIPS ELECTRONICS NORTH AMERICA  
15 CORP.; KONINKLIJKE PHILIPS  
16 ELECTRONICS; VICTORIA ELWELL, HEIN  
17 RENSMA, PAUL VAN DER SANDEN,  
18 individuals, and DOES 1 THROUGH 100,  
19 inclusive,

20 Defendants.

No. C09-03085 xxx RMW

**STIPULATION AND ORDER RE:  
CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE**

Date: February 26, 2010  
Time: 10:30 a.m.  
Courtroom 6, 4th Floor  
Judge: The Hon. Ronald M. Whyte

21 1. Defendant, Philips Electronics North America Corporation (hereinafter, "PENAC"),  
22 and plaintiff, Carl Ferrigno (hereinafter "Ferrigno") do hereby stipulate to continue the case  
23 management conference, which is currently set for February 26, 2010 at 10:30 a.m., to such date  
24 as is convenient with the court.

25 2. The basis for this stipulation is that plaintiff counsel has two discovery motions  
26 pending in Santa Clara County Superior Court in an unrelated case, which are both set for  
27 hearing on Friday, February 26, 2010 at 9:00 a.m. Based upon communications with the Court  
28 Clerk, it is plaintiff counsel's understanding that there are in excess of 30 motions on calendar  
alone will be heard first, uncontested matters second, and contested matters third. It is the belief

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1 and concern of plaintiff's counsel that one or both of the matters set for hearing will not be heard  
2 in sufficient time to allow attendance at both the discovery hearings and the case management  
3 conference in this matter.

4 3. The current hearing date of February 26th was assigned by the court on the court's  
5 own motion. The previous date had been February 12, 2010.

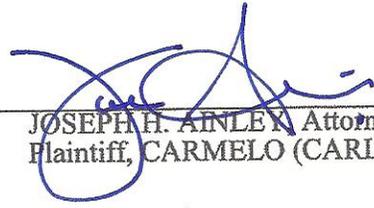
6 4. Counsel for PENAC and Ferrigno agree that the case management conference may  
7 be continued until a date that is convenient for the court.

8 5. Counsel for Ferrigno will be unavailable on March 5, 2010 and during the time  
9 frame March 19 through March 30, 2010, as he will be out of the country on a prepaid trip to the  
10 United Kingdom.

11 Respectfully submitted,

12 Dated: February 23, 2010

JHA LAW OFFICES

13  
14 By:   
15 JOSEPH H. AINLEY, Attorneys for  
16 Plaintiff, CARMELO (CARL) FERRIGNO

17 Dated: February 23, 2010

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19 By:   
20 ERICA K. ROCUSH, Attorneys for  
21 Defendant, PHILIPS ELECTRONICS  
22 NORTH AMERICA CORP.

23 **ORDER**

24 The stipulation of the parties to continue the case management conference date in this  
25 matter, and good cause appearing therefor, the court orders that the case management conference  
26 be continued until April 9, 2010.

27 **IT IS SO ORDERED.**

28 Date: 2/25/10

  
THE HONORABLE RONALD M. WHYTE  
UNITED STATES DISTRICT COURT