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Avagliano v. Sumitomo: District Court  
Proceedings

Sumitomo Shoji America, Inc. v. Avagliano, 457  
US 176 - Supreme Court 1982

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1-26-1978

## Stipulation Extending Defendant's Time to Answer Complaint and Interrogatories to 2/3/78

Lewis M. Steel '63

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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LISA M. AVIGLIANO, DIANNE CHENICEK,	:	
ROSEMARY T. CRISTOFARI, CATHERINE	:	
CUMMINS, RAELEN MANDELBAUM, MARIA	:	
MANNINA, SHARON MEISELS, FRANCES	:	
PACHECO, JOANNE SCHNEIDER, JANICE	:	
SILBERSTEIN, REIKO TURNER, ELIZABETH	:	77 Civ. 5641 (CHT)
WONG,	:	
On Behalf of Themselves And All Others :	:	<u>STIPULATION</u>
Similarly Situated,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
SUMITOMO SHOJI AMERICA, INC.,	:	
	:	
Defendant.	:	

-----x

IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED,  
by and between the undersigned attorneys for the parties hereto,  
that the date by which defendant Sumitomo Shoji America, Inc.,  
shall answer, move, or make any other response to the complaint  
herein be, and hereby is, extended to and including February 3,  
1978, and it is further

STIPULATED, CONSENTED TO AND AGREED, by and between  
the undersigned attorneys for the parties hereto, that the time  
of defendant to answer, move or serve any other response to  
plaintiff's First Interrogatories be, and hereby is, extended  
to and including February 3, 1978.

Dated: New York, New York  
January 26, 1978

WENDER, MURASE & WHITE

by J. Portia Hicks  
(A Member of the Firm)  
Attorneys for Defendant  
Sumitomo Shoji America, Inc.  
400 Park Avenue  
New York, New York 10022

EISNER, LEVY, STEEL & BELLMAN, P.C.,

by [Signature]  
(A Member of the Firm)  
Attorneys for Plaintiff Lisa M.  
Avigliano, et al.  
351 Broadway  
New York, New York 10013

IT IS SO ORDERED:

\_\_\_\_\_  
U. S. D. J.

Sir- Please take notice that the within is a (certified) true copy of a duly entered in the office of the clerk of the within named court on 19

Dated,

Yours, etc.,

**WENDER, MURASE & WHITE**

Attorneys for

Office and Post Office Address

400 PARK AVENUE

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10022

To

Attorney(s) for

NOTICE OF SETTLEMENT

Sir- Please take notice that an order

of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at

on the \_\_\_\_\_ day of \_\_\_\_\_ 19

\_\_\_\_\_ M.

Dated,

Yours, etc.,

**WENDER, MURASE & WHITE**

Attorneys for

Office and Post Office Address

400 PARK AVENUE

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10022

To

Attorney(s) for

INDEX NO. 77 C.V. 2041 (CH) Part 19  
UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF  
NEW YORK

LISA M. AVIGLIANO, et al,

Plaintiff,

-against-

SUMITOMO SHOJI AMERICA, INC.

Defendant.

STIPULATION

**WENDER, MURASE & WHITE**

Attorneys for Defendant

Office and Post Office Address, Telephone

400 PARK AVENUE

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10022

(212) 692-2339

To

Attorney(s) for

Service of a copy of the within

Dated,

is hereby admitted.

Attorney(s) for

January 27, 1978

Portis Hicks, Esq.  
Wender, Marase & White  
400 Park Avenue  
New York, New York 10022

Re: Avigliano, etal. v. Sumitomo Shoji America, Inc.

Dear Portis:

I enclose a copy of a letter I received from Magistrate Raby with regard to the Sumitomo case. Let me know about your availability.

Sincerely,

Lewis M. Steel

LMS/cpm

Enc. 1

UNITED STATES MAGISTRATE  
UNITED STATES DISTRICT COURT  
UNITED STATES COURTHOUSE  
FOLEY SQUARE  
NEW YORK, N. Y. 10007  
791-0155

RECEIVED JAN 27 1978

HAROLD J. RABY  
MAGISTRATE

January 26, 1978

Eisner, Levy, Steel & Bellman, P.C.  
351 Broadway  
New York, New York, 10013

Re: AVIGLIANO, et al. v. SUMITOMO SHOJI AMERICA, II  
No. 77 Civ. 5641 (CHT)

Dear Sirs:

By direction of the District Judge to whom this case is assigned, I have been directed to conduct appropriate pretrial proceedings pursuant to Rule 16, F.R.C.P.

This matter is accordingly scheduled for initial pretrial conference at my office, Room 610 at 3:00 P.M. on February 2, 1978.

As attorney for the plaintiff, you are hereby directed to advise all opposing counsel of this scheduled conference. In the event that either you or opposing counsel have a prior legal commitment, it is essential that my secretary be advised forthwith, to the end that a suitable alternative date for the conference may be fixed.

Failure on your part to appear may result in dismissal of this action.

Respectfully,

*Harold J. Raby* (EKD)

HAROLD J. RABY  
UNITED STATES MAGISTRATE

HJR:EKD