

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CASCADE YARNS, INC., a Washington
corporation,)

Plaintiff,)

v.)

KNITTING FEVER, INC., a New York
Corporation, DESIGNER YARNS, LTD., a
corporation of England, FILATURA
PETTINATA V.V.G. DI STEFANO VACCARI)
& C. (S.A.S.) an entity organized or existing)
under the laws of Italy, SION ELALOUF, an)
individual, DIANE ELALOUF, an individual,)
JAY OPPERMAN, an individual, DEBBIE)
BLISS, an individual, DAVID WATT, an)
individual and DOES 1-50.)

Defendants.)

No. C10-00861 RSM
DECLARATION OF DEIRDRE E.
MCINERNEY

I, Deirdre E. McInerney, do hereby depose and state as follows:

1. I am an associate at the law firm of Pepper Hamilton LLP, resident in
Pepper Hamilton’s Philadelphia, Pennsylvania, office and an attorney-at-law in good
standing of the Bars of the State of New Jersey and the Commonwealth of Pennsylvania.

1 Pepper Hamilton represents Defendants Knitting Fever, Inc., Designer Yarns, Ltd., Sion
2 Elalouf, Diane Elalouf, Jay Opperman, Debbie Bliss, and David Watt (“Defendants”) in
3 the above-captioned matter. I make this Declaration in support of Defendants’ Motion to
4 Extend Time to Answer, Move, or otherwise Plead to the Amended Complaint.

5 2. Pepper Hamilton did not receive a copy of either the original or amended
6 complaint until the week of June 28, 2010.

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8 3. Defendants’ counsel has made several attempts to obtain Plaintiff’s
9 counsel’s consent to extend the deadline for Defendants to respond to the Amended
10 Complaint to August 5, 2010, but have not received a response..

11 4. On July 2, 2010, Mr. Joshua Slavitt of Pepper Hamilton LLP, emailed
12 Plaintiff’s counsel, Mr. Guite and Ms. O’Rourke of Squire, Sanders & Dempsey L.L.P.,
13 requesting an extension of the time to answer, move, or otherwise plead.

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15 5. Later that afternoon on July 2, 2010, Mr. Slavitt’s assistant attempted to
16 reach Mr. Guite and Ms. O’Rourke by telephone, but received their voicemail messages.

17 6. On July 6, 2010, I attempted to reach Mr. Guite and Ms. O’Rourke by
18 telephone, but received their voicemail messages. I left messages on both voicemails, but
19 received no response.

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21 7. Later that afternoon on July 6, 2010, I attempted to reach Mr. Guite and Ms.
22 O’Rourke by telephone, but received their voicemail messages.

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8. An extension of time, up to and including August 5, 2010, is necessary for Defendants to fully investigate and properly respond to the Amended Complaint.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 6th day of July, 2010.

s/ Deirdre E. McInerney
Deirdre E. McInerney

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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on July 6th, 2010, I electronically filed the foregoing
DECLARATAION OF DEIRDRE E. MCINERNEY with the Clerk of the Court using the
CM/ECF system which will send notification of such filing to the following:

Robert J. Guite
rguite@ssd.com

DATED this 6th day of July, 2010.

Davis Wright Tremaine LLP
Attorneys for Defendants

By /s/ Warren J. Rheaume
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