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Attorneys for Defendants
Bel Fuse, Inc.

UNITED STATE DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

HALO ELECTRONICS, INC., a Nevada Corporation, Plaintiffs vs. BEL FUSE, INC., ELEC & ELTEK (USA) CORPORATION, WURTH ELECTRONICS MIDCOM, INC., and XFMRS, INC., Defendants	Action No. 07-6222 - RMW **DECLARATION OF CATHY AKINS ELLEDGE IN SUPPORT OF DEFENDANT BEL FUSE INC.'S *EX PARTE* MOTION FOR LEAVE TO FILE LATE AN OPPOSITION TO HALO'S MOTION TO DECLARE THIS ACTION THE FIRST-FILED AND A REPLY IN FURTHER SUPPORT OF BEL FUSE'S MOTION TO DISMISS OR TRANSFER** **Date: March 14, 2008** **Time: 9:00 a.m.** **Location: Courtroom 6, 4th Floor** **Judge: Honorable Ronald M. Whyte**

I, Cathy Akins Elledge, declare:

1. I am a paralegal at the Law Firm of Fliesler Meyer LLP at 650 California Street, 14th Floor, San Francisco, CA 94108, counsel to Defendant Bel Fuse, Inc. in this action.

2. I have first hand knowledge of the facts set forth herein, or have learned these facts first hand, and, if sworn as a witness, I could and would testify competently and from personal knowledge as to these facts.

3. I have been employed as a paralegal for over twenty years; the last 7 1/2 years with Fliesler Meyer, LLP. As part of my duties as a paralegal, it was necessary that I become familiar with the Local Rules of the Northern District of California, particularly with the docketing of oppositions and replies pursuant to Local Rule 7-3(a)(c) and 7-7(d).

4. On January 15, 2008, our office received the Clerk's Notice of Continuance continuing the hearing dates for Plaintiff's Motion to Declare this Action the First-Filed and Defendant's Motion to Dismiss or Transfer to March 14, 2008.

5. Upon receiving the Clerk's Notice of Continuance, I changed the due dates on our firm's docket for the Opposition to Halo's Motion to Declare this Action the First-Filed and the Reply in Further Support of Bel Fuse's Motion to Dismiss or Transfer to be due 21 days and 14 days preceding the new hearing date of March 14, 2008, respectively. I relied on Northern District Local Rule 7-7(d) when making the change.

6. Prior to January 25, 2008, Joshua L. Raskin, attorney for Defendant Bel Fuse, asked me to confirm the due dates for the Opposition and Reply. I indicated to him that the Opposition and Reply would be due 21 days and 14 days preceding the new hearing date of March 14, 2008, respectively. It was always the intent of Bel Fuse to file an Opposition to Halo's Motion and the Opposition would have been filed in a timely manner absent the innocent docketing error.

7. Late in the afternoon on Friday, February 1, 2008, counsel for Defendant Bel Fuse received Halo's Reply in Further Support of Halo's Motion which indicated that Bel Fuse did not file an Opposition to Halo's Motion on or before the January 25th deadline. This is when the docketing error was first discovered.

8. Between January 25, 2008 through February 1, 2008, to the best of my knowledge, Halo failed to provide Bel Fuse with a courtesy call or any other type of notification that Halo had not received the Opposition from Bel Fuse as expected on January 25, 2008.

9. I now realize the due date for the Opposition to Halo's Motion and the due date for a Further Reply in Support of Bel Fuse's Motion to Dismiss of Transfer should not have been changed on our firm's docket. The mistake, however, was innocent and was made in good faith pursuant to Northern District Local Rule 7-7(d).

I declare under penalty of perjury that the foregoing is true and correct. Executed at San Francisco, CA, on February 7, 2008.

By: 
Cathy Akins Elledge