

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE

Lisa Sykes, et al.,

Plaintiffs,

vs.

Bayer Corporation, et al.

Defendants.

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1:08-MC-13-JM

3-07 CV 660

Eastern District of Virginia

MOTION TO EXPAND TIME TO RESPOND TO ORDER TO SHOW CAUSE

NOW COMES John H. McHugh, Esquire, counsel for Attorney Clifford Shoemaker, and states as follows:

1. On April 23, 2008, I was asked to assist Clifford Shoemaker, an attorney in Vienna, Virginia, with regard to this Court's Order to Show Cause issued on April 21, 2008.

2. I asked a friend in Boston if she knew any attorneys in New Hampshire, and I was referred to one attorney whom I called. She considered the matter and decided that she did not wish to appear and referred me to Attorney Brian T. Stern at about 4:00 P.M. on Friday, April 25, 2008. I contacted Mr. Stern who agreed to appear as co-counsel on Monday April 28, 2008.

3. The underlying action in the Eastern District of Virginia is a claim that Wesley Sykes, the son of Lisa Sykes and Seth Sykes, became autistic due to an adverse reaction to vaccines and another drug, all containing thimerosal, a mercury-based preservative.

4. It would appear that Kathleen Seidel heads a group which strongly opposes the positions taken by the Sykes family in this proceeding. However, she and her associates have done more than comment on these positions; they have taken action to discredit the Sykes family, Lisa Sykes as a minister of the United Methodist Church, and witnesses who have given support to the family's positions. They have interfered with these witnesses' professions, professional relationships, and economic opportunities.

5. The subpoena in issue relates, however, to indications that Ms. Seidel is receiving aid in her effort to harass litigants and their experts, including her efforts to damage them personally for their participation in this lawsuit, by the Defendant, either directly or indirectly.

6. However, your Declarant is new to this case and to Ms. Seidel, and while I have been attempting to gather the information needed, I have been unable to complete that task due to the press of other work as well as the fact that Mr. Shoemaker has either been in hearings or preparing for imminent hearings, all in other cases, or taking third-party depositions in this action since he received this order. While I have interviewed some victims of Ms. Seidel's activity, I have not yet been able to gather the material I would need to show the Court the justification for the Subpoena and its scope.

Wherefore, I respectfully request that the time within which to respond to the Order to Show Cause in this matter be extended through May 15, 2008.

Respectfully submitted,
Clifford Shoemaker

Dated: May 5, 2008

By: /s/ John F. McHugh
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Dated: May 5, 2008

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