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6 Attorneys for Plaintiffs

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 8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10 (OAKLAND DIVISION)

11 KEN WALTERS and JOHN BONILLA, in
 12 their respective capacities as Trustees of the
 OPERATING ENGINEERS HEALTH AND
 13 WELFARE TRUST FUND FOR NORTHERN
 CALIFORNIA, et al.,
 14
 15 Plaintiffs,
 v.
 16 GOLDEN GATE CRANE & RIGGING, INC.,
 17
 18 Defendant.

Case No.: C06-1906 WHA [DMR]
 Consolidated With
 Case No.: C06-5396 WHA [DMR]

**[PROPOSED] AMENDED ORDER
 SETTING DEBTOR’S EXAMINATION
 ROBERT NEWBERRY, IN HIS
 CAPACITY AS AN OFFICER OF
 JUDGMENT DEBTOR GOLDEN GATE
 CRANE & RIGGING, INC. AS MODIFIED**

19 KEN WALTERS and JOHN BONILLA, in
 their respective capacities as Trustees of the
 20 OPERATING ENGINEERS HEALTH AND
 WELFARE TRUST FUND FOR NORTHERN
 21 CALIFORNIA, et al.,
 22
 23 Plaintiffs,
 v.
 24 GOLDEN GATE CRANE & RIGGING, INC.,
 25 ROBERT NEWBERRY, SUE NEWBERRY,
 et al.,
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 27 Defendants.

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**[PROPOSED] ORDER SETTING GOLDEN GATE CRANE & RIGGING, INC. DEBTOR’S EXAMINATION
 CASE NO.: C06-1906 WHA [DMR] & C06-5396 WHA [DMR]**

1 Pursuant to Order Re Plaintiffs' Request for Reconsideration of January 3, 2012 Order
2 (Docket No. 151), and Good Cause Appearing therefore,

3 IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

4 1. Robert Newberry, as an officer of Judgment Debtor Golden Gate Crane & Rigging,
5 Inc. shall personally appear on **April 25, 2012 at 9:30 a.m.** at Oakland Courthouse, Courtroom 4 -
6 3rd Floor, 1301 Clay Street, Oakland, CA 94612, California before the Magistrate Judge Donna
7 M. Ryu then and there to be examined on oath concerning Judgment Debtor's property or other
8 matters material to the proceeding.

9 2. Judgment Creditors shall personally serve Robert Newberry, officer of Judgment
10 Debtor Golden Gate Crane & Rigging, Inc., with a copy of this Order and shall provide proof of
11 such service to the Court not less than five (5) days before the Judgment Debtor Examination.

12 3. Should Judgment Debtor fail or refuse to appear at the Judgment Debtor
13 Examination herein scheduled, or to produce the documents pursuant to F.R.C.P. 34, this Court
14 may certify the facts of the Judgment Debtor's contempt to the District Court pursuant to 28
15 U.S.C. § 636(e), and the District Court may adjudicate Judgment Debtor guilty of civil contempt
16 of its orders and may issue a warrant or seizure order to compel compliance with this Order.

17 DATED this 17th day of January, 2012



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19 UNITED STATES MAGISTRATE JUDGE
20 DONNA M. RYU

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