



ALABAMA

ARIZONA

ARKANSAS

CALIFORNIA

February 1, 2008

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COLORADO

CONNECTICUT

DISTRICT OF COLUMBIA

VIA E-FILING

Hon. Joseph C. Spero
Judge of the United States District Court
Northern District of California
450 Golden Gate Avenue
Courtroom A, 15th Floor
San Francisco, CA 94102

FLORIDA

GEORGIA

ILLINOIS

INDIANA

**Re: Boards of Trustees for the Operating Engineers Health and Welfare Trust
Fund, et al. v. Figas Construction, et al.
U.S. District Court, Northern District of CA, Case No. C06-4739 (JCS)**

MASSACHUSETTS

Dear Judge Spero:

MINNESOTA

The parties have reached a settlement, and we are working out the language of a stipulated judgment. Our profuse apologies for not advising the Court prior to the scheduled case management conference today. We understand that the Court is setting a further case management conference in two weeks, by which time the parties will report their progress.

MISSOURI

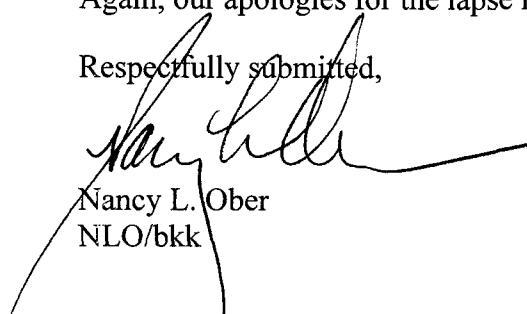
NEVADA

Again, our apologies for the lapse in communication.

NEW JERSEY

Respectfully submitted,

NEW YORK


Nancy L. Ober
NLO/bkk

NORTH CAROLINA

OHIO

cc: Michele R. Stafford, Esq.
Firmwide:84208604.1 036083.1003

OREGON

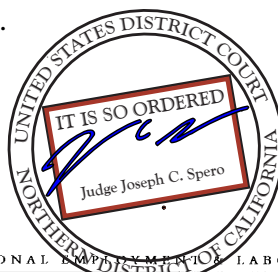
PENNSYLVANIA

IT IS HEREBY ORDERED that a further case management conference is set for February 15, 2008, at 1:30 p.m.

RHODE ISLAND

Dated: Feb. 4, 2008.

SOUTH CAROLINA



TEXAS

VIRGINIA

WASHINGTON