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10 Attorneys for Defendants
11 ZOLMAN CONSTRUCTION & DEVELOPMENT, INC. AND
12 SYNERGY PROJECT MANAGEMENT, J/V; ZOLMAN
13 CONSTRUCTION & DEVELOPMENT, INC., and
14 SYNERGY PROJECT MANAGEMENT
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17 UNITED STATES DISTRICT COURT
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19 NORTHERN DISTRICT OF CALIFORNIA

20 BOARD OF TRUSTEES OF THE) Case No.: C 07 02549 WDB
21 LABORERS HEALTH AND WELFARE)
22 TRUST FUND FOR NORTHERN) STIPULATION TO CONTINUE CASE
23 CALIFORNIA; BOARD OF TRUSTEES OF) MANAGEMENT CONFERENCE
24 THE LABORERS VACATION-HOLIDAY)
25 TRUST FUND FOR NORTHERN)
26 CALIFORNIA; BOARD OF TRUSTEES OF)
27 THE LABORERS PENSION TRUST FUND)
28 FOR NORTHERN CALIFORNIA; and)
BOARD OF TRUSTEES OF THE)
LABORERS TRAINING AND)
RETRAINING TRUST FUND FOR)
NORTHERN CALIFORNIA,)
Plaintiffs,)
vs.)
E. UGARTE, INC., a California corporation)
dba KEVIN NELSON CONCRETE)
CONSTRUCTION COMPANY; EDGARD)
ORLANDO UGARTE, an Individual;)
ZOLMAN CONSTRUCTION &)
DEVELOPMENT, INC. AND SYNERGY)
PROJECT MANAGEMENT, J.V., a joint)
venture; ZOLMAN CONSTRUCTION &)
DEVELOPMENT, INC., a California)
corporation; SYNERGY PROJECT)
MANAGEMENT, a sole proprietorship; and)

DOES 1-10.

Defendants.

ZOLMAN CONSTRUCTION & DEVELOPMENT, INC. AND SYNERGY PROJECT MANAGEMENT, J.V., a joint venture; ZOLMAN CONSTRUCTION & DEVELOPMENT, INC., a California corporation; SYNERGY PROJECT MANAGEMENT, a sole proprietorship,

Cross-Claimants

vs.

E. UGARTE, INC., a California corporation,
dba KEVIN NELSON CONCRETE
CONSTRUCTION COMPANY, and ROES 1
through 25.

Cross-Defendants.

Defendants Zolman Construction & Development, Inc. and Synergy Project

Management, J/V, Zolman Construction & Development, Inc., and Synergy Project Management wish to enter into a settlement of this matter and have taken affirmative steps to explore a settlement with plaintiff directly, rather than through counsel. Telephone messages were exchanged over the past month, and only this week did Mr. Reza Zolfaghari reach his contact at the Laborers Fund. Defendants believe than an agreement can be reached in the near future but require more time for that purpose and therefore request this continuance. Based on these representations, plaintiffs' counsel, Kevin Ho, has agreed to a continuance of two weeks. However, the Court not being available earlier, the parties agree that the case management conference previously scheduled for July 9, 2009 at 1:30 p.m. may be continued to July 27, 2009.

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1 at 1:30 p.m. Case Management Statements would therefore be due on July 20, 2009.

2 It is so stipulated.

3 Dated: July 1, 2009

4 LEONIDOU & ROSIN
5 Professional Corporation

6 By _____

7 Patricia Walsh
8 Attorney for Defendants and Cross-Complainants
9 ZOLMAN CONSTRUCTION &
10 DEVELOPMENT, INC. AND SYNERGY
11 PROJECT MANAGEMENT, J/V; ZOLMAN
12 CONSTRUCTION & DEVELOPMENT, INC.; and
13 SYNERGY PROJECT MANAGEMENT

14 Dated: July 1, 2009

15 BULLIVANT HOUSER BIALEY PC

16 By _____

17 Kevin K. Ho
18 Attorney for Plaintiffs
19 BOARD OF TRUSTEES OF THE LABORERS
20 HEALTH AND WELFARE TRUST FUND FOR
21 NORTHERN CALIFORNIA; BOARD OF
22 TRUSTEES OF THE LABORERS VACATION-
23 HOLIDAY TRUST FUND FOR NORTHERN
24 CALIFORNIA; BOARD OF TRUSTEES OF THE
25 LABORERS PENSION TRUST FUND FOR
26 NORTHERN CALIFORNIA; and BOARD OF
27 TRUSTEES OF THE LABORERS TRAINING
28 AND RETRAINING TRUST FUND FOR
NORTHERN CALIFORNIA

29 Pursuant to stipulation, IT IS SO ORDERED.

30 Dated: 7/2/09

