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14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA

17 PAUL BENSI, BART FLORENCE, JERRY ) No. CV 08-01757 BZ  
 KALMAR, and LYLE SETTER, in )  
 18 their capacities as Trustees of the )  
 STATIONARY ENGINEERS LOCAL 39 )  
 19 PENSION TRUST FUND; STATIONARY )  
 ENGINEERS LOCAL 39 ANNUITY TRUST )  
 20 FUND; and STATIONARY ENGINEERS )  
 LOCAL 39 HEALTH AND WELFARE ) **STIPULATED REQUEST FOR**  
 21 TRUST FUND, ) **ORDER CHANGING TIME AND**  
 ) **[PROPOSED] ORDER**  
 22 Plaintiffs, )  
 )  
 23 vs. )  
 )  
 24 AC SERVICE & DESIGN COMPANY, a )  
 California Corporation, )  
 25 )  
 Defendant. )  
 26 ) Local Rules 6-1 and 6-2

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1 Pursuant to Local Rules 6-1 and 6-2, the parties, Plaintiffs Paul Bensi, Bart Florence, Jerry  
2 Kalmar, Lyle Setter, in their capacities as Trustees of the Stationary Engineers Local 39 Pension  
3 Trust Fund, Stationary Engineers Local 39 Annuity Trust Fund and Stationary Engineers Local 39  
4 Health and Welfare Trust Funds (hereinafter "Plaintiffs"), and Defendant AC Service & Design  
5 (hereinafter "Defendant"), by and through their undersigned counsel, jointly submit this Stipulated  
6 Request for an Order Changing Time. Pursuant to Local Rule 6-2, the reasons and effects of the  
7 requested time modification is set forth in the accompanying Declaration of Kristina M. Zinnen  
8 (hereinafter "Zinnen Decl.") filed concurrently herewith.

9 The parties have conferred and have determined that it will benefit the parties in this  
10 litigation if all pleading deadlines for filing cross-motions for summary judgment required by the  
11 Court are modified as follows:

- 12 • Change the deadline for Plaintiffs to file the lead motion from December 1, 2008 to  
13 December 9, 2008.
- 14 • Change the deadline for Defendant to file a cross-motion and opposition to Plaintiffs'  
15 motion from December 15, 2008 to December 23, 2008.
- 16 • Change the deadline for Plaintiffs to file their opposition to Defendant's cross-motion  
17 and reply to Defendant's opposition from December 29, 2008 to January 9, 2009.
- 18 • Change the deadline for Defendant to file its reply from January 7, 2009 to January 16,  
19 2009.

20 (Zinnen Decl. ¶ 2.)

21 The parties agree that the January 21, 2009 hearing date will remain unchanged. (Zinnen  
22 Decl. ¶ 3.)

23 To date, there has been no other time modification made in this case either by stipulation or  
24 Court order. (Zinnen Decl. ¶ 6.)

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