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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION
 11

12 PAUL BENSI, BART FLORENCE, JERRY)
 KALMAR, and LYLE SETTER, in)
 13 their capacities as Trustees of the)
 STATIONARY ENGINEERS LOCAL 39)
 14 PENSION TRUST FUND and STATIONARY)
 ENGINEERS LOCAL 39 HEALTH AND)
 15 WELFARE FUND,)

Case No. C 08-4134 (MMC)

PLAINTIFFS CERTIFICATION REGARDING SETTLEMENT

AND ORDER THEREON

16 Plaintiffs,

17 v.

18 SETON MEDICAL CENTER, a California)
 Corporation; DAUGHTERS OF CHARITY)
 19 HEALTH SYSTEM, a California Corporation,)
 20)

21 Defendants.

22
 23 On November 3, 2009, the Court issued an Order of Dismissal to take effect within ninety
 24 days of said Order or February 1, 2010. The parties are in the process of obtaining all signatures
 25 on the Settlement Agreement and Mutual Release and will have the settlement transaction
 26 completed within 30 days from the date of this Certification Regarding Settlement. Upon the
 27 completion of the settlement transaction, the parties will file a stipulation (and proposed order) to
 28 dismiss the action with prejudice. In light of the foregoing, Plaintiffs hereby submit this

1 Certification Regarding Settlement and request that the Court continue the ninety day Order of
2 Dismissal for an additional 30 days in order to allow the parties time to complete the settlement
3 transaction.

4 Dated: January 27, 2010

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ Linda Baldwin Jones
LINDA BALDWIN JONES
Attorneys for Plaintiffs

9 119081/559050

18 Dated: January 29, 2010

