

1 Muriel B. Kaplan, Esq. (SBN 124607)  
Michele R. Stafford, Esq. (SBN 172509)  
2 SALTZMAN & JOHNSON LAW CORPORATION  
44 Montgomery Street, Suite 2110  
3 San Francisco, CA 94104  
(415) 882-7900  
4 (415) 882-9287—Facsimile  
mkaplan@sjlawcorp.com  
5 mstafford@sjlawcorp.com

6 Attorneys for Plaintiffs

7

8

9

UNITED STATES DISTRICT COURT

10

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11

OPERATING ENGINEERS HEALTH AND  
12 WELFARE TRUST FUND FOR NORTHERN  
CALIFORNIA, et al.,

13

Plaintiffs,

14

v.

15

16 SPILKER ASSOCIATES dba SPILKER, INC.,  
A California Corporation; MARK P. SPILKER,  
an individual; and MICHELLE SPILKER, an  
17 individual,

18

Defendants.

19

This Amendment to the previously filed Notice and Acknowledgement and Judgment  
20 Pursuant to Stipulation serves to correct two typographical errors in Paragraph 4(d) of the  
21 Stipulation. The Amended Paragraph 4(d) (with the typographical errors in bold) should read as  
22 follows:

23

24

(d) Payments shall be made payable to the *Operating Engineers Trust Funds*,  
and delivered to Michele R. Stafford at Saltzman & Johnson Law Corporation, 44 Montgomery  
25 Street, Suite 2110, San Francisco, California 94104, to be received on or before the *25th day of*  
26 *each month*, or to such other address as may be specified by Plaintiffs.

27

28

//

Case No.: C08-4520 SI

**AMENDMENT TO NOTICE AND  
ACKNOWLEDGMENT  
and JUDGMENT PURSUANT TO  
STIPULATION**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

All other provisions shall remain the same.

Dated: January 12, 2009

SALTZMAN & JOHNSON  
LAW CORPORATION

By:           /s/ Michele R. Stafford            
Michele R. Stafford  
Attorneys for Plaintiffs

**IT IS SO ORDERED**

Dated: \_\_\_\_\_, 2009

  
\_\_\_\_\_  
UNITED STATES DISTRICT COURT JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 44 Montgomery Street, Suite 2110, San Francisco, California 94104.

On January 12, 2009, I served the following document(s):

**AMENDMENT TO NOTICE AND ACKNOWLEDGMENT**  
**and JUDGMENT PURSUANT TO STIPULATION**

on the interested parties in said action by First Class U.S. Mail, by placing a true and exact copy of each document in a sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San Francisco, California, addressed as follows:

**Spilker Associates dba Spilker, Inc.**  
**801 Lancelot Court**  
**Danville, CA 94526**

**Mark P. Spilker**  
**801 Lancelot Court**  
**Danville, CA 94526**

**Michelle Spilker**  
**801 Lancelot Court**  
**Danville, CA 94526**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 12th day of January, 2009, at San Francisco, California.

\_\_\_\_\_/S/\_\_\_\_\_  
Vanessa de Fábrega