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5 Attorney for Defendant, DAVIS MORENO CONSTRUCTION, INC.

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 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 BOARD OF TRUSTEES OF THE)
 12 LABORERS HEALTH AND WELFARE)
 TRUST FUND FOR NORTHERN)
 13 CALIFORNIA; BOARD OF TRUSTEES)
 OF THE LABORERS VACATION-)
 14 HOLIDAY TRUST FUND FOR)
 NORTHERN CALIFORNIA; BOARD)
 15 OF TRUSTEES OF THE LABORERS)
 PENSION TRUST FUND FOR)
 16 NORTHERN CALIFORNIA; and)
 BOARD OF TRUSTEES OF THE)
 17 LABORERS TRAINING AND)
 RETRAINING TRUST FUND FOR)
 18 NORTHERN CALIFORNIA,)

Case No. CV 08-05138 MEJ

**STIPULATION AND ORDER
 EXTENDING TIME FOR DEFENDANT
 TO FILE RESPONSIVE PLEADING**

19 Plaintiffs,
 20 vs.
 21 DAVIS MORENO CONSTRUCTION)
 INC., a California corporation,)
 22 Defendant.)
 23)
 24)

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 26 IT IS HEREBY STIPULATED by and between the parties, through their respective
 27 undersigned counsel of record, that, the deadline for Defendant to answer or otherwise
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1 plead in response to the Plaintiff's Complaint shall be, and hereby is, extended by 20 days.
2 The new deadline shall be January 5, 2009.

3 All other dates, deadlines and calendared hearings specified in this court's
4 "Order Setting Initial Case Management Conference and ADR Deadlines" filed November
5 12, 2008 shall remain on calender and unaffected by this stipulation and order thereon.

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IT IS SO STIPULATED.

Date: December 12, 2008


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Based upon the forgoing stipulation IT IS SO ORDERED as follows: The Defendant shall file a responsive pleading on or before January 5, 2009.

Dated: December 16, 2008

By: 
UNITED STATES MAGISTRATE
JUDGE