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15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA

17	THE BOARD OF TRUSTEES, in their capacities as) No. 1:08-CV-5652-CRB
18	Trustees of the LABORERS HEALTH AND)
19	WELFARE TRUST FUND FOR NORTHERN)
20	CALIFORNIA; LABORERS VACATION-HOLIDAY)
21	TRUST FUND FOR NORTHERN CALIFORNIA;)
22	LABORERS PENSION TRUST FUND FOR)
23	NORTHERN CALIFORNIA; and LABORERS)
24	TRAINING AND RETRAINING TRUST FUND FOR) REQUEST FOR DISMISSAL
25	NORTHERN CALIFORNIA; and THE BOARD OF) WITH RETAINED
26	TRUSTEES, in their capacities as Trustees of the) JURISDICTION;
27	CEMENT MASONS HEALTH AND WELFARE) [PROPOSED] ORDER
28	TRUST FUND FOR NORTHERN CALIFORNIA;)
	CEMENT MASONS PENSION TRUST FUND FOR)
	NORTHERN CALIFORNIA; CEMENT MASONS)
	VACATION/HOLIDAY TRUST FUND FOR)
	NORTHERN CALIFORNIA; CEMENT MASONS)
	APPRENTICESHIP AND TRAINING TRUST FUND)
	FOR NORTHERN CALIFORNIA,)
)
	Plaintiffs,)
	v.)
)
	VARGAS & ESQUIVEL CONSTRUCTION, INC., a)
	California Corporation,)
)
	Defendant.)

REQUEST FOR DISMISSAL WITH RETAINED JURISDICTION

1 PURSUANT TO THE PROVISIONS of the written settlement agreement between the
2 parties, which resolve all outstanding claims for damages, attorneys fees, litigation expenses and
3 costs, and which directs the plaintiffs to request dismissal of the action with prejudice, but to
4 request that the District Court retain jurisdiction to interpret and enforce the settlement agreement,
5

6 PLAINTIFF HEREBY REQUESTS that the action be dismissed with prejudice but with
7 the Court retaining special jurisdiction for no more than fifteen (15) months to interpret and
8 enforce the agreement.

9 Dated: July 28, 2009

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

11 By: //s// Signature Authorized
12 NICOLE M. PHILLIPS
13 Attorneys for Plaintiffs


14 Dated: July 28, 2009

LAW OFFICES OF GENE A. FARBER

15 By: //s// Signature Authorized
16 GENE A. FARBER
17 Attorneys for Defendant

18 **~~PROPOSED~~ ORDER**

19 SO ORDERED.

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21
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24 Dated: July 31, 2009

HON. CHARLES BREYER
Judge of U. S. District Court

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