

1 BARRY E. HINKLE, Bar No. 071223  
PATRICIA A. DAVIS, Bar No. 179074  
2 CONCEPCIÓN E. LOZANO-BATISTA, Bar No.227227  
WEINBERG, ROGER & ROSENFELD  
3 A Professional Corporation  
1001 Marina Village Parkway, Suite 200  
4 Alameda, California 94501-1091  
Telephone: 510.337.1001  
5 Fax: 510.337.1023

6 Attorneys for Plaintiff

7

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10

11 THE BOARD OF TRUSTEES, in their ) No. CV 08 5708 JCS  
capacities as Trustees of the LABORERS )  
12 HEALTH AND WELFARE TRUST FUND )  
FOR NORTHERN CALIFORNIA; )  
13 LABORERS VACATION-HOLIDAY TRUST ) **STIPULATION FOR DISMISSAL**  
FUND FOR NORTHERN CALIFORNIA; ) **WITHOUT PREJUDICE UPON**  
14 LABORERS PENSION TRUST FUND FOR ) **SETTLEMENT OF CASE**  
NORTHERN CALIFORNIA; and LABORERS )  
15 TRAINING AND RETRAINING TRUST )  
FUND FOR NORTHERN CALIFORNIA, )

16 Plaintiff,

17 v.

18 GREGORY W. TERRY, Individually;  
19 GREGORY W. TERRY, Individually and doing  
business as AUBURN GARDENING &  
20 LANDSCAPE; AUBURN GARDENING &  
LANDSCAPE,

21 Defendants.

22

23

///

24

///

25

///

26

///

27

///

28

1 The undersigned parties, having reached a settlement in the above- referenced case, hereby  
2 stipulate and request that the Court so order that the above-entitled matter be dismissed without  
3 prejudice. Once the Defendants have met all the terms and conditions of the settlement agreement,  
4 Plaintiffs will request that the Court enter a dismissal with prejudice in this case.

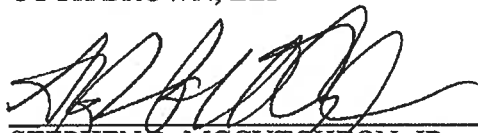
5 Dated: August 26, 2009.

6 WEINBERG, ROGER & ROSENFELD  
7 A Professional Corporation

8  
9 //s// Concepcion E. Lozano-Batista  
10 CONCHITA E. LOZANO-BATISTA  
11 Attorney for Plaintiffs

12 Dated: August 7, 2009

13 COOK BROWN, LLP

14   
15 STEPHEN R. MCCUTCHEON, JR.  
16 Attorneys for Defendant

17 119698/540767

18 Dated: Aug. 26, 2009

