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10 Attorneys for Defendants
 11 ALFRED CONRAD JEPSEN and AL-CON
 CONCRETE CONTRACTORS, INC.

12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 THE BOARD OF TRUSTEES, in their) No. CV 09-0981 MHP
 16 capacities as Trustees of the CEMENT)
 MASONS HEALTH AND WELFARE TRUST)
 17 FUND FOR NORTHERN CALIFORNIA,)
 CEMENT MASONS PENSION TRUST FUND)
 18 FOR NORTHERN CALIFORNIA, CEMENT)
 MASONS VACATION/HOLIDAY TRUST)
 19 FUND FOR NORTHERN CALIFORNIA,)
 CEMENT MASONS APPRENTICESHIP AND)
 20 TRAINING TRUST FUND FOR NORTHERN)
 CALIFORNIA,)

**REQUEST FOR DISMISSAL WITH
 RETAINED JURISDICTION;
~~PROPOSED~~ ORDER**

21 Plaintiff,

22 v.

23 ALFRED CONRAD JEPSEN, Individually,)
 24 ALFRED CONRAD JEPSEN Individually and)
 doing business as AL-CON CONCRETE)
 25 CONTRACTORS, INC., and AL-CON)
 CONCRETE CONTRACTORS, INC., A)
 26 California Corporation,)

27 Defendants.

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 eighteen (18) months to interpret and
8 enforce the agreement.

9 Dated: April 15, 2010

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

10
11 By: //s//
12 NICOLE M. PHILLIPS
13 Attorneys for Plaintiffs

14 Dated: April 15, 2010

15 By: //s//
16 MICHAEL P. QUINLIVAN
17 Attorneys for Defendants

18 ~~PROPOSED~~ ORDER

19 SO ORDERED.

20
21
22
23 Dated: 4/16/2010

24 HONORABLE JUDGE MARILYN H. PATEL
25 UNITED STATES DISTRICT JUDGE



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27 120667/568258