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9 Attorneys for Plaintiff
 10 CALIFORNIA PACIFIC REGIONAL MEDICAL
 11 CENTER, a California non-profit public benefit
 12 corporation

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 CALIFORNIA PACIFIC REGIONAL
 16 MEDICAL CENTER, a California non-
 17 profit public benefit corporation,

18 Plaintiff,

19 vs.

20 NATIONAL ALLIED WORKERS
 21 INSURANCE TRUST FUND, a
 22 voluntary employees benefit association
 23 pursuant to 26 U.S.C. §501(c)(9), AND
 24 DOES 1 THROUGH 25,

25 Defendants.

Case No.: CV091018 (MHP)

STIPULATON TO AMEND
 COMPLAINT AND [PROPOSED]
 ORDER

26
 27 ////

28 ////

1 IT IS HEREBY STIPULATED by and between the parties to this action
2 through their counsel that:

- 3
- 4 1. Plaintiff will file a First Amended Complaint adding THE
5 NATIONAL ALLIED WORKERS UNION INSURANCE TRUST
6 FUND, a voluntary employees benefit association pursuant to 26
7 U.S.C. §501(c)(9) as a defendant in the above-captioned matter;
8
 - 9 2. Defendant JOSE M. GARZA, an individual in his capacity as Trustee
10 of the National Allied Worker's Insurance Trust Fund will be
11 dismissed from the above-captioned action without prejudice.
12
 - 13 3. Defendant THE NATIONAL ALLIED WORKERS UNION
14 INSURANCE TRUST FUND'S attorneys will accept services of
15 Plaintiff's First Amended Complaint.
16

17 SO STIPULATED.

18
19 Dated:

20
21 STEPHENSON, ACQUISTO & COLMAN
22

23
24 _____
25 VIOLA RITA BROWN
26 Attorneys for
27 CALIFORNIA PACIFIC REGIONAL
28 MEDICAL CENTER, a California non-
profit public benefit corporation

1 Dated:

2
3 LABER, MUCHIN, DOWBROW,
4 BECKER, LEVIN AND TOMINBERG,
5 LTD.

6
7 ROBERT H. BROWN
8 Attorneys for
9 JOSE M. GARZA AND THE NATIONAL
10 ALLIED WORKERS UNION
11 INSURANCE TRUST FUND

12
13 ~~— [PROPOSED] ORDER —~~

14 Having read the forgoing Stipulation of the parties, and good cause
15 appearing therefore it is so ordered
16

17 Dated: 9/23/2009



1 **PROOF OF SERVICE**

2
3 I am employed in the county of Los Angeles, State of California. I am
4 over the age of 18 and not a party to the within action; my business address is 303
5 North Glenoaks Boulevard, Suite 700, Burbank, California 91502-3226. On 18
6 September 2009, I served the foregoing document(s) entitled:

7 **STIPULATION TO AMEND COMPLAINT AND [PROPOSED]
8 ORDER**

9 by placing a true copy thereof enclosed in a sealed envelope addressed per the
10 attached Service List.

11 **BY MAIL:** I am "readily familiar" with the firm's practice of collection and
12 processing correspondence for mailing. Under that practice it would be
13 deposited with the United States Postal Service on that same day with
14 postage thereon fully prepaid at Burbank, California in the ordinary course
15 of business. I am aware that on motion of the party served, service is
16 presumed invalid if postal cancellation date or postage meter date is more
17 than one day after date of deposit for mailing in affidavit. [C.C.P. 1013a(3);
18 F.R.C.P. 5(b)]

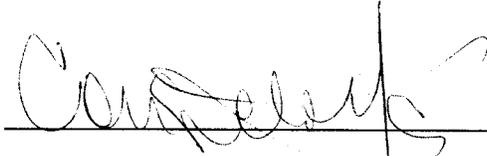
19 **BY FEDERAL EXPRESS:** I caused such envelope(s), with overnight
20 Federal Express Delivery Charges to be paid by this firm, to be deposited
21 with the Federal Express Corporation at a regularly maintained facility on
22 the aforementioned date. [C.C.P. 1013(c) 1013(d)]

23 **BY EXPRESS MAIL:** I caused such envelope(s), with postage thereon
24 fully prepaid and addressed to the party(s) shown above, to be deposited in a
25 facility operated by the U.S. Postal Service and regularly maintained for the
26 receipt of Express Mail on the aforementioned date. [C.C.P. 1013(c)]

27 **BY TELECOPIER:** Service was effected on all parties at approximately
28 _____:_____ am/pm by transmitting said document(s) from this firm's
facsimile machine (818/559-4477) to the facsimile machine number(s)
shown above. Transmission to said numbers was successful as evidenced by
a Transmission Report produced by the machine indicating the documents
had been transmitted completely and without error. C.R.C. 2008(e), Cal.
Civ. Proc. Code § 1013(e).

State: I declare under penalty of perjury under the laws of the State of
California that the above is true and correct.

1 [] Federal: I declare that I am employed in the office of a member of the bar of
2 this court at whose direction the service was made.

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6 CONSUELO MARQUEZ
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SERVICE LIST

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