

1 Ronald L. Richman, SBN 139189
 Susan J. Olson, SBN 152467
 2 BULLIVANT HOUSER BAILEY PC
 601 California Street, Suite 1800
 3 San Francisco, California 94108
 Telephone: 415.352.2700
 4 Facsimile: 415.352.2701
 E-Mail: ron.richman@bullivant.com
 5 E-Mail: susan.olson@bullivant.com

6 Attorneys for Plaintiffs

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 BOARD OF TRUSTEES OF THE CEMENT
 MASONS HEALTH AND WELFARE TRUST
 11 FUND FOR NORTHERN CALIFORNIA;
 BOARD OF TRUSTEES OF THE CEMENT
 12 MASONS VACATION-HOLIDAY TRUST
 FUND FOR NORTHERN CALIFORNIA;
 13 BOARD OF TRUSTEES OF THE CEMENT
 MASONS PENSION TRUST FUND FOR
 14 NORTHERN CALIFORNIA; AND BOARD
 OF TRUSTEES OF THE CEMENT MASONS
 15 TRAINING TRUST FUND FOR NORTHERN
 CALIFORNIA,

16 Plaintiffs,

17 v.

18 ALL WEST CONSTRUCTION, INC., a
 19 California corporation,

20 Defendant.

Case No.: 09-01732 JSW

STIPULATION TO EXTEND TIME TO COMPLETE ENE; ORDER THEREON

STIPULATION

22 IT IS HEREBY STIPULATED by and between Plaintiffs Boards of Trustees of the
 23 Cement Masons Health and Welfare Trust Fund for Northern California, Board of Trustees of
 24 the Cement Masons Vacation-Holiday Trust Fund for Northern California, Board of Trustees of
 25 the Cement Masons Pension Trust Fund for Northern California, and Board of Trustees of the
 26 Cement Masons Training Trust Fund for Northern California (“Cement Masons Trust Funds”),
 27 on the one hand, and Defendant All West Construction, Inc. (“All West Construction”), on the
 28

1 other hand, through their respective counsel, that the parties have an ENE set for Wednesday,
2 February 17, 2010 before Harlan Richter. The parties have continued settlement discussions
3 and believe that it is likely that this case can be settled within the next 30 days. Harlan Richter
4 has been advised of the parties' intent to continue the ENE and has advised the parties that
5 parties must seek a continuance from this Court.

6 Based on the above, the parties respectfully request that this Court issue an Order
7 granting the parties an additional 30 days to complete the ENE. In the meantime, the parties
8 will continue with informal settlement negotiations.

9 DATED: February 12, 2010

10 BULLIVANT HOUSER BAILEY PC

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12 By _____ /s/
13 Ronald L. Richman
14 Susan J. Olson

15 Attorneys for Plaintiffs

16 DATED: February 12, 2010

17 HAWKINS – BOHMAN

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19 By _____ /s/
20 Scott C. Hawkins

21 Attorneys for Defendant
22 All West Construction, Inc.

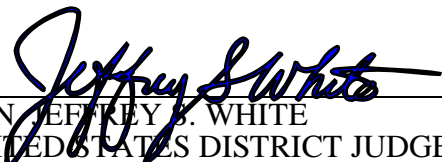
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ORDER

The parties having submitted this Stipulation To Extend Time to Complete ENE and good cause appearing:

IT IS HEREBY ORDERED that the parties have up to and including March 17, 2010 to complete the ENE.

DATED: February 16, 2010

By  _____
HON. JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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