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8 UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 AUTOMOTIVE INDUSTRIES PENSION
10 TRUST FUND, JAMES H. BENO, Trustee,
BILL BRUNELLI, Trustee, STEPHEN J.
11 MACK, Trustee, CHRIS CHRISTOPHERSEN,
Trustee, DON CROSATTO, Trustee, MARK
12 HOLLIBUSH, Trustee, GEORGE HALL, JR.,
Trustee, CHARLES J. DI BARI, Trustee, RON
13 NELSON, Trustee, and JAMES V.
CANTERBURY, Trustee,

14 Plaintiffs,

15 v.

16 BRENTWOOD MOTORS, INC. and
17 BRENTWOOD MOTORS, L.L.C., doing
business as BRENTWOOD DODGE
18 CHRYSLER JEEP,

Case No.: C 09-02546 MHP

**STIPULATION AND ~~PROPOSED~~
ORDER FOR REFERRAL TO A
RANDOMLY REASSIGNED
MAGISTRATE JUDGE FOR
SETTLEMENT CONFERENCE**

DATE:

TIME:

JUDGE: HON. MARILYN H. PATEL
COURTROOM 15
EIGHTEENTH FLOOR
450 Golden Gate Ave
San Francisco, CA 94102

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20 The parties request that the Court refer this matter for random reassignment to a new
21 Magistrate Judge for the purpose of conducting a settlement conference by December 15, 2009.

22 The Court previously referred this matter to Magistrate Judge Joseph Spero. However, due
23 to the intervening Thanksgiving holiday and Magistrate Judge Spero's assignment as the Criminal
24 Duty Magistrate for the month of December, Magistrate Judge Spero is not able to conduct a
25 settlement conference after November 2, 2009. Magistrate Judge Spero has scheduled a
26 settlement conference for that date and has directed the parties to lodge their settlement conference
27 statements by October 19, 2009, two weeks from today.


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1 The parties agree that they cannot complete the discovery necessary to use this settlement
2 conference productively before October 19, 2009 and/or November 2, 2009. Accordingly, the
3 parties request that the Court refer this matter for random reassignment to a new Magistrate Judge
4 to conduct a settlement conference in the first half of December 2009.

5 Dated: October 5, 2009 SALTZMAN & JOHNSON LAW CORPORATION

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7 By: 
8 Michelle L. Sicula
9 Attorneys for Plaintiffs

10 Dated: October 5, 2009 LITTLER MENDELSON
11 A PROFESSIONAL CORPORATION

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13 By: 
14 Joshua Cliffe
15 Attorney for Defendant Brentwood Motors LLC

16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

17 Dated: October 5, 2009
18 
19 MARILYN H. PATEL
20 UNITED STATES DISTRICT JUDGE
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1 **PROOF OF SERVICE**

2 I am employed in the County of San Francisco, State of California. I am over the age of
3 eighteen and not a party to this action. My business address is 44 Montgomery Street, Suite 2110,
4 San Francisco, California 94104.

5 On October __, 2009, I served the following documents on the parties to this action,
6 addressed as follows, in the manner described below:

7 **STIPULATION AND [PROPOSED] ORDER FOR REFERRAL TO A RANDOMLY
8 REASSIGNED MAGISTRATE JUDGE FOR SETTLEMENT CONFERENCE**

9 XX **MAIL**, being familiar with the practice of this office for the collection and the processing
10 of correspondence for mailing with the United States Postal Service, and deposited in the
11 United States Mail copies of the same to the business addresses set forth below, in a sealed
12 envelope fully prepared.

13 **FACSIMILE** be causing said document to be transmitted by Facsimile machine to the
14 number indicated after the address(es) set forth below.

15 **UPS** for delivery the following business day by placing same for collection by UPS to the
16 business addresses set forth below.

17 **PERSONAL DELIVERY** by placing said document in a sealed envelope and causing it to
18 be personally delivered to the address(es) set forth below.

19 *Addressed to:*

20 I declare under penalty of perjury that the foregoing is true and correct and that this
21 declaration was executed on this 5th day of October 2009, at San Francisco, California.
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Elizabeth Skeels