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UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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AUTOMOTIVE INDUSTRIES PENSION  
 TRUST FUND, JAMES H. BENO, Trustee,  
 17 BILL BRUNELLI,, Trustee, STEPHEN J.  
 MACK, Trustee, MARK HOLLIBUSH,  
 18 Trustee, CHRIS CHRISTOPHERSEN, Trustee,  
 DON CROSATTO, Trustee, GEORGE HALL,  
 19 JR., Trustee, CHARLES J. DI BARI, Trustee,  
 RON NELSON, Trustee, and JAMES V.  
 20 CANTERBURY, Trustee,

Case No.: C 09-02548 SC

**STIPULATION AND ~~[PROPOSED]~~  
ORDER**

DATE:

TIME:

JUDGE: Hon. Samuel Conti

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Plaintiffs,

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v.

COURTROOM 1  
 Seventeenth Floor  
 450 Golden Gate Ave.,  
 San Francisco, CA

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STANFORD EUROPEAN, INC., dba  
 STANFORD BMW,

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Defendant.

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1 Plaintiffs, Automotive Industries Pension Trust Fund and its Board of Trustees, jointly  
2 with Defendant Stanford European (hereafter "Stanford") in the above-entitled action submit this  
3 Stipulation and Proposed Order.

4 1. Counsel for Plaintiff Trust and counsel for Defendant have discussed early  
5 settlement of this action. The Court has referred this case to mediation which, under the  
6 presumptive 90 day deadline, must occur before December 1, 2009. On November 5, 2009, the  
7 assigned mediator conducted a telephone conference with the parties. In order to permit plaintiffs  
8 time to review the additional documents that defendant has agreed to produce and to permit the  
9 parties to attempt to resolve the matter without the mediator's assistance, the mediation has been  
10 scheduled for December 9, 2009, at 10:00 a.m. Accordingly, the parties request an order from the  
11 Court permitting the parties to attend court sponsored mediation eight days after the presumptive  
12 December 1<sup>st</sup> deadline.

13 Dated: November 24, 2009

SALTZMAN & JOHNSON LAW CORPORATION

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By: /s/Michelle L. Sicula

Michelle L. Sicula

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Attorneys for Plaintiffs

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18 Dated: November 24, 2009

LITTLER MENDELSON  
A PROFESSIONAL CORPORATION

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By: /s/Joshua J. Cliffe

Joshua J. Cliffe

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Attorney for Defendant Stanford European

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23 **IT IS SO ORDERED.**

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25 Dated: November 30, 2009

SAMUEL  
UNITED STATES DISTRICT JUDGE

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28 Firmwide:93055053.1 052962.1001

