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11 Attorneys for Defendants SIMI MANAGEMENT  
12 CORP., and STEVEN A. SIMI

13 UNITED STATES DISTRICT COURT  
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 15 (SAN FRANCISCO DIVISION)

16 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 09-02550 JCS

**STIPULATION AND PROPOSED  
 ORDER REQUESTING THAT COURT  
 CONTINUE DEADLINE FOR  
 COMPLETING MEDIATION AND  
 CASE MANAGEMENT CONFERENCE**

21 Plaintiffs,

22 v.

23 SIMI MANAGEMENT CORP., a California  
 corporation, doing business as CONNELL  
 24 AUTO CENTER, and STEVEN A. SIMI also  
 known as ANSELMO SIMI, an Individual,

25 Defendants.  
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1           For the reasons that follow, the parties hereby jointly request that the Court continue the  
2 January 4, 2010, deadline for completing mediation and the January 14, 2010, case management  
3 conference.

4           1.       This is an action under ERISA by Trustees of the Automotive Industries Pension  
5 Trust Fund to recover withdrawal liability from the defendants. The Court has set the following  
6 case management dates:

- |    |   |         |
|----|---|---------|
| 7  | (1)    Completion of mediation:   | 1/4/11  |
| 8  | (2)    Further Case Management Conference:                                    | 1/14/11 |
| 9  | (3)    Disclosure of identities and reports of expert<br>witnesses:           | 2/11/11 |
| 10 | (4)    Completion of Fact and Expert Discovery:                               | 3/18/11 |
| 11 | (5)    All case-dispositive motions to be heard at 9:30<br>a.m. on or before: | 4/22/11 |
| 12 | (6)    Final Pretrial Conference at 1:30 p.m. on:                             | 7/22/11 |
| 13 | (6)    Trial will begin at 8:30 a.m. on:                                      | 8/15/11 |

14           2.       The Court's ADR Unit has advised plaintiffs' counsel that it cannot locate a  
15 mediator who could complete the mediation by the Court's deadline of January 4, 2011, but would  
16 have a better chance of finding a mediator if the parties could arrange for a 30 day extension of the  
17 deadline. Accordingly, the parties stipulate and jointly request that the Court continue the deadline  
18 for completing mediation from January 4, 2011, to February 3, 2011, and the post-mediation Case  
19 Management Conference from January 14, 2011, to February 18, 2011, with an updated joint Case  
20 Management Conference Statement due on February 22, 2011.

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23 Dated:   December 7, 2010

SALTZMAN & JOHNSON LAW CORPORATION

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By: \_\_\_\_\_ /S/  
Anne M. Bevington  
Attorneys for Plaintiffs

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1 Dated: December 7, 2010

KAY & MERKLE, LLP

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By: \_\_\_\_\_/S/  
Douglas A. Marshall  
Attorneys for Defendants

**ORDER**

The parties having stipulated, and good cause appearing therefor,

IT IS HEREBY ORDERED as follows:

- (1) The deadline for completing mediation, previously set for January 4, 2011, is extended to February 3, 2011;
- (2) The Case Management Conference previously set for January 14, 2011, is continued to Friday, February 18, 2011, at 1:30 p.m.;
- (3) An updated joint case management conference statement shall be due by February 11, 2011.

IT IS SO ORDERED.

Dated: 12/8/10 \_\_\_\_\_

JOSEPH C. SPERO  
UNITED STATES MAGISTRATE JUDGE

