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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

**NOTICE OF SETTLEMENT AND  
 JOINT REQUEST TO VACATE CASE  
 MANAGEMENT CONFERENCE;  
 [PROPOSED] ORDER**

21 Plaintiffs,

DATE: February 18, 2011  
 TIME: 1:30 P.M.  
 JUDGE: HON. JOSEPH C. SPERO  
 COURTROOM A  
 FIFTEENTH FLOOR  
 450 Golden Gate Ave  
 San Francisco, CA 94102

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 NOTICE OF SETTLEMENT AND  
 JOINT REQUEST TO VACATE CASE MANAGEMENT CONFERENCE;  
 [PROPOSED] ORDER

1 The parties hereby notify the Court that they have agreed to settle this case. Under the  
2 terms of the settlement, the parties will submit a request for dismissal with prejudice after payment  
3 is made. The parties anticipate the settlement will be concluded by March 1, 2011 and if not,  
4 shortly thereafter the Plaintiff will request entry of Judgment based on the settlement. In the  
5 meantime, the parties stipulate and jointly request that the Case Management Conference,  
6 currently set for February 18, 2011, be vacated.

7 Dated: January 28, 2011 SALTZMAN & JOHNSON LAW CORPORATION

8  
9 By: \_\_\_\_\_ /S/  
10 Anne M. Bevington  
Attorneys for Plaintiffs

11 Dated: January 28, 2011 KAY & MERKLE, LLP

12  
13 By: \_\_\_\_\_ /S/  
14 Douglas A. Marshall  
Attorneys for Defendants

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16 **ORDER**

17 The parties having given notice of settlement and having stipulated, and good cause  
18 appearing therefor,

19 IT IS HEREBY ORDERED that the Case Management Conference set for February 18,  
20 2011, at 1:30 p.m., be vacated.

21 IT IS SO ORDERED.

22 Dated: Jan. 31, 2011 \_\_\_\_\_

23 JOSEPH C. SPERO  
24 UNITED STATES DISTRICT COURT  
25 JUDGE Joseph C. Spero  
26 DISTRICT JUDGE  
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