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6
 7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA

9 THE BOARD OF TRUSTEES, in their) No. CV 09 2937 SC
 capacities as Trustees of the LABORERS)
 10 HEALTH AND WELFARE TRUST FUND)
 FOR NORTHERN CALIFORNIA; LABORERS)
 11 VACATION-HOLIDAY TRUST FUND FOR) **STIPULATION AND ~~PROPOSED~~**
 NORTHERN CALIFORNIA; LABORERS) **ORDER TO VACATE HEARING ON**
 12 PENSION TRUST FUND FOR NORTHERN) **MOTION TO DISMISS AND FOR**
 CALIFORNIA; and LABORERS TRAINING) **FILING OF FIRST AMENDED**
 13 AND RETRAINING TRUST FUND FOR) **COMPLAINT**
 NORTHERN CALIFORNIA; NORTHERN)
 14 CALIFORNIA DISTRICT COUNCIL OF)
 LABORERS for itself and on behalf of)
 15 LABORERS' LOCAL 304)

16 Plaintiffs,

17 v.

18 EDWIN OLIVER DE SILVA, Individually;
 19 EDWIN OLIVER DE SILVA, Individually and
 doing business as DE SILVA GATES
 20 CONSTRUCTION; DE SILVA GATES
 CONSTRUCTION; DB ELECTRIC, INC., A
 21 California Corporation; and D & E
 CONSTRUCTION, INC., A California
 22 Corporation,

23 Defendants.

24 D & E CONSTRUCTION, INC., A California
 Corporation,

25 Cross-Claimant,

26 v.

27 DE SILVA GATES CONSTRUCTION;
 TRAVELERS CASUALTY AND SURETY
 28 COPMANY OF AMERICA (TRAVELERS);

