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SUMMIT MECHANICAL SYSTEMS, INC.,  
6 CORINNE KATHLEEN WHITE, LONNY  
MICHAEL WHITE; SMS INDUSTRIAL, INC.  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 BOARD OF TRUSTEES OF THE PIPE  
TRADES DISTRICT COUNCIL NO. 36  
12 HEALTH AND WELFARE TRUST  
FUND; BOARD OF TRUSTEES OF THE  
13 PIPE TRADES DISTRICT COUNCIL  
NO. 36 PENSION TRUST FUND;  
14 BOARD OF TRUSTEES OF THE PIPE  
TRADES DISTRICT COUNCIL NO. 36  
15 APPRENTICE TRAINING TRUST  
FUND; BOARD OF TRUSTEES OF THE  
16 CENTRAL CALIFORNIA PIPE TRADES  
INDUSTRY LABOR-MANAGEMENT  
17 COOPERATION COMMITTEE TRUST  
FUND;

18 Plaintiffs,

19 v.

20 SUMMIT MECHANICAL SYSTEMS,  
21 INC., a California corporation; CORINNE  
KATHLEEN WHITE, an individual;  
22 LONNY MICHAEL WHITE, an  
individual; SMS INDUSTRIAL, INC.  
23 a.k.a. S M S INDUSTRIAL, INC., a  
California corporation;  
24 and DOES 1 through 50, inclusive;

25 Defendants.  
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Case No. CV09-04408-JSW

**JOINT STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE DEFENDANTS'  
DEADLINE TO FILE ANSWER AND  
OTHER ASSOCIATED DEADLINES**

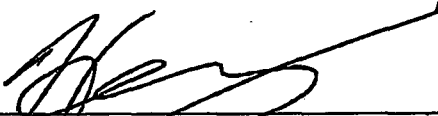
**STIPULATION**

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2 Plaintiffs BOARD OF TRUSTEES OF THE PIPE TRADES DISTRICT  
3 COUNCIL NO. 36 HEALTH AND WELFARE TRUST FUND; BOARD OF TRUSTEES OF  
4 THE PIPE TRADES DISTRICT COUNCIL NO. 36 PENSION TRUST FUND; BOARD OF  
5 TRUSTEES OF THE PIPE TRADES DISTRICT COUNCIL NO. 36 APPRENTICE TRAINING  
6 TRUST FUND; and BOARD OF TRUSTEES OF THE CENTRAL CALIFORNIA PIPE  
7 TRADES INDUSTRY LABOR-MANAGEMENT COOPERATION COMMITTEE TRUST  
8 FUND, and Defendants SUMMIT MECHANICAL SYSTEMS, INC., CORINNE KATHLEEN  
9 WHITE, LONNY MICHAEL WHITE, SMS INDUSTRIAL, INC. (hereinafter collectively “the  
10 parties”), by and through their attorneys of record, hereby stipulate and agree as follows:


- 11 1. The parties jointly agree to extend the deadline for Defendants to file their answer  
12 by forty-five (45) days to **January 18, 2010**.
- 13 2. The last day for the parties to meet and confer re: initial disclosures, early  
14 settlement, the ADR process selection and a discovery plan; to file ADR  
15 certification signed by the parties and their respective counsel; and file either a  
16 Stipulation to ADR Process or Notice of Need for ADR Phone Conference shall be  
17 **March 15, 2010**.
- 18 3. The last day for the parties to file a Rule 26(f) Report, complete initial disclosures  
19 or state objections in a Rule 26(f) Report and to file a Case Management Statement  
20 per the Standing Order re: Contents of Joint Case Management Statement shall be  
21 **March 29, 2010**.
- 22 4. The initial case management conference shall be held on **April 5, 2009**, in  
23 Courtroom E, 15th Floor at 10:00 a.m.
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Dated: December 4, 2009

  
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 MICHAEL E. MOSS  
 HENRY Y. CHIU  
 KIMBLE, MacMICHAEL & UPTON  
 A Professional Corporation  
 Attorneys for Plaintiffs  
 BOARD OF TRUSTEES OF THE PIPE  
 TRADES DISTRICT COUNCIL NO. 36  
 HEALTH AND WELFARE TRUST FUND;  
 BOARD OF TRUSTEES OF THE PIPE  
 TRADES DISTRICT COUNCIL NO. 36  
 PENSION TRUST FUND; BOARD OF  
 TRUSTEES OF THE PIPE TRADES  
 DISTRICT COUNCIL NO. 36 APPRENTICE  
 TRAINING TRUST FUND; and BOARD OF  
 TRUSTEES OF THE CENTRAL  
 CALIFORNIA PIPE TRADES INDUSTRY  
 LABOR-MANAGEMENT COOPERATION  
 COMMITTEE TRUST FUND

Dated: December 4, 2009

  
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 NATHALIE A/LE NGOC  
 LITTLER MENDELSON  
 A Professional Corporation  
 Attorneys for Defendants  
 SUMMIT MECHANICAL SYSTEMS, INC.,  
 CORINNE KATHLEEN WHITE, LONNY  
 MICHAEL WHITE; SMS INDUSTRIAL,  
 INC.

**ORDER**

Having considered the parties' Stipulation, this Court hereby ORDERS as follows:

1. The deadline for Defendants to file their answer will be extended by forty-five (45) days to **January 18, 2010**.
2. The last day for the parties to meet and confer re: initial disclosures, early settlement, the ADR process selection and a discovery plan; to file ADR certification signed by the parties and their respective counsel; and file either a Stipulation to ADR Process or Notice of Need for ADR Phone Conference shall be **March 15, 2010**.
3. The last day for the parties to file a Rule 26(f) Report, complete initial disclosures or state objections in a Rule 26(f) Report and to file a Case Management Statement per the Standing Order re: Contents of Joint Case Management Statement shall be **March 22, 2010**.
4. The initial case management conference shall be held on **April 9, 2009**, in ~~Courtroom E, 15th Floor at 10:00 a.m.~~ at 1:30 p.m.

IT IS SO ORDERED.

Dated: December 8, 2009

  
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 HON. JEFFERY S. WHITE  
 U.S. DISTRICT COURT JUDGE