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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;

Case No. CV09-04408-JSW

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

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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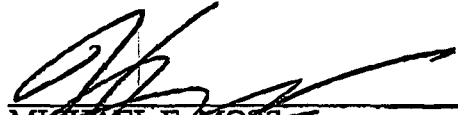
STIPULATION

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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 seventeen (17) days to **February 5, 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 **April 1, 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 **April 15, 2010**.
- 22 4. The initial case management conference shall be held on **April 22, 2010**, in
23 Courtroom E, 15th Floor at 10:00 a.m.
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Dated: January 19, 2010



~~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: January 19, 2010

/s/
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.

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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 seventeen (17) days to **February 5, 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 **April 1, 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 **April 15, 2010**.
4. The initial case management conference shall be held on **April 23, 2010**, in Courtroom 11, 19th Floor at 1:30 p.m.
~~Courtroom E, 15th Floor at 10:00 a.m.~~

IT IS SO ORDERED.

Dated: January 20, 2010



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