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 SUMMIT MECHANICAL SYSTEMS, INC.,
 6 CORINNE KATHLEEN WHITE, LONNY
 MICHAEL WHITE; SMS INDUSTRIAL, INC.
 7

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.

Case No. CV09-04408-JSW

**JOINT STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE THE PARTIES'
 DEADLINE FOR RULE 26(f) INITIAL
 DISCLOSURES AND JOINT CASE
 MANAGEMENT STATEMENT**

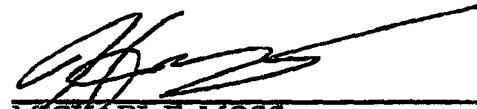
STIPULATION

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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 last day for the parties to meet and confer re: initial disclosures, early
12 settlement and a discovery plan shall be **November 29, 2010**.
- 13 2. The last day for the parties to file a Rule 26(f) Report, complete initial disclosures
14 or state objections in a Rule 26(f) Report and to file a Case Management Statement
15 per the Standing Order re: Contents of Joint Case Management Statement shall be
16 **December 14, 2010**.
- 17 3. The initial case management conference shall be held on **December 21, 2010**, in
18 Courtroom 11, 19th Floor at 1:30 p.m.

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1 Dated: October 5, 2010



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3 MICHAEL E. MOSS
4 HENRY Y. CHIU
5 KIMBLE, MacMICHAEL & UPTON
6 A Professional Corporation
7 Attorneys for Plaintiffs
8 BOARD OF TRUSTEES OF THE PIPE
9 TRADES DISTRICT COUNCIL NO. 36
10 HEALTH AND WELFARE TRUST FUND;
11 BOARD OF TRUSTEES OF THE PIPE
12 TRADES DISTRICT COUNCIL NO. 36
13 PENSION TRUST FUND; BOARD OF
14 TRUSTEES OF THE PIPE TRADES
15 DISTRICT COUNCIL NO. 36 APPRENTICE
16 TRAINING TRUST FUND; and BOARD OF
17 TRUSTEES OF THE CENTRAL
18 CALIFORNIA PIPE TRADES INDUSTRY
19 LABOR-MANAGEMENT COOPERATION
20 COMMITTEE TRUST FUND

21 Dated: October 5, 2010

22 /s/ Nathalie A. Le Ngoc

23 NATHALIE A. LE NGOC
24 LITTLER MENDELSON
25 A Professional Corporation
26 Attorneys for Defendants
27 SUMMIT MECHANICAL SYSTEMS, INC.,
28 CORINNE KATHLEEN WHITE, LONNY
MICHAEL WHITE; SMS INDUSTRIAL,
INC.

ORDER

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

- ~~1. The last day for the parties to meet and confer re: initial disclosures, early settlement, the ADR process selection and a discovery plan shall be **November 29, 2010.**~~
- ~~2. 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 **December 14, 2010.**~~
- ~~3. The initial case management conference shall be held on **December 21, 2010** in~~

~~Courtroom 11, 19th Floor at 1:30 p.m.~~
 The Court DENIES the parties' stipulation without prejudice. The parties have already stipulated numerous time to continuing the initial case management conference without providing any reason or good cause. Moreover, the Court holds case management conferences on *FRIDAYS*. If the parties provide a good reason for another continuance and stipulate to an open Friday, the Court will consider their request.

IT IS SO ORDERED.

Dated: October 7, 2010



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