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11
 12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**

14 * * *

15 BOARD OF TRUSTEES OF THE PIPE
 TRADES DISTRICT COUNCIL NO. 36
 16 HEALTH AND WELFARE TRUST FUND;
 BOARD OF TRUSTEES OF THE PIPE
 17 TRADES DISTRICT COUNCIL NO. 36
 PENSION TRUST FUND; BOARD OF
 18 TRUSTEES OF THE PIPE TRADES
 DISTRICT COUNCIL NO. 36 APPRENTICE
 19 TRAINING TRUST FUND; BOARD OF
 TRUSTEES OF THE CENTRAL
 20 CALIFORNIA PIPE TRADES INDUSTRY
 LABOR-MANAGEMENT COOPERATION
 21 COMMITTEE TRUST FUND,

22 Plaintiffs,

23 v.

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

27 Defendants.

Case No. CV09-04408-JSW

**STIPULATION AND ORDER TO
 CONTINUE CASE MANAGEMENT
 CONFERENCE TO EXECUTE
 SETTLEMENT AGREEMENT**

1 Plaintiffs Board of Trustees of Pipe Trades District Council No. 36 Health and Welfare
2 Trust Fund et al. (collectively, "Plaintiffs") and defendants Summit Mechanical Systems, Inc. et
3 al. (collectively "Defendants") hereby stipulate, and request an order, as to the following:

4 1. A Case Management Conference is currently scheduled for 1:30 pm on February
5 4, 2011, in Courtroom 11 of the above-identified Court.

6 2. The Parties have agreed to the terms of a written Settlement Agreement, and are
7 in the process of circulating the Agreement and accompanying documents for execution.

8 3. The Parties hereby respectfully request a further continuance of the Case
9 Management Conference to 1:30 pm on March 4, 2011, in Courtroom 11 of the above-identified
10 Court, to permit the Parties sufficient time to execute all of the documents, and for Plaintiffs to
11 request a dismissal of this action.

12 4. The Parties further respectfully request that the deadline for them to file a Rule
13 26(f) Report, complete initial disclosures, or state objections in a Rule 26(f) Report be further
14 continued to March 4, 2011.

15 Dated: February 3, 2011.

KIMBLE, MacMICHAEL & UPTON
A Professional Corporation

16 By /s/ Henry Y. Chiu

17 HENRY Y. CHIU

18 Attorney for Plaintiffs

19 Dated: February 3, 2011.

LITTLER MENDELSON
A Professional Corporation

20 By /s/ Nathalie A. Le Ngoc

21 NATHALIE A. LE NGOC

22 Attorney for Defendants

23 **ORDER**

24 IT IS SO ORDERED.

25 Dated: February 4, 2011

26 
27 HON. JEFFREY S. WHITE

United States District Court Judge

28 6151.24-00241302.000