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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
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11 BRICKLAYERS AND ALLIED CRAFTWORKERS) Case No. 09-4825 EDL
 LOCAL UNION NO. 3, AFL-CIO;)
 12 TRUSTEES OF THE NORTHERN CALIFORNIA)
 TILE INDUSTRY PENSION TRUST; TRUSTEES)
 13 OF THE NORTHERN CALIFORNIA TILE)
 INDUSTRY HEALTH AND WELFARE TRUST FUND;)
 14 TRUSTEES OF THE NORTHERN CALIFORNIA) STIPULATION FOR
 TILE INDUSTRY APPRENTICESHIP) DISMISSAL OF SURETY
 15 AND TRAINING TRUST FUND; TILE INDUSTRY) COMPANY OF THE PACIFIC
 PROMOTION FUND OF NORTHERN CALIFORNIA,) AND AMERICAN
 16 INC., a not-for-profit California corporation;) CONTRACTORS INDEMNITY
 TILE EMPLOYERS CONTRACT ADMINISTRATION) COMPANY WITHOUT
 17 FUND; TRUSTEES OF THE INTERNATIONAL) PREJUDICE;
 UNION OF BRICKLAYERS AND ALLIED) [Proposed] ORDER
 18 CRAFTWORKERS PENSION FUND,)
)

19 Plaintiffs,

20 vs.

21 BRIAN J. DEASON, as an individual and doing)
 business as "Brian J. Deason"; SURETY COMPANY OF)
 22 THE PACIFIC, a California corporation; AMERICAN)
 CONTRACTORS INDEMNITY COMPANY, a)
 23 California corporation,)
)

24 Defendants.

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 26 Defendants, SURETY COMPANY OF THE PACIFIC and AMERICAN
 27 CONTRACTORS INDEMNITY COMPANY, hereby agree to waive the running of and agree to
 28 toll the statute of limitations as of the date the complaint in this action was filed should Plaintiffs

1 later commence a new action on the bond which was the subject of this action. Accordingly,
2 Plaintiffs and Defendants, SURETY COMPANY OF THE PACIFIC and AMERICAN
3 CONTRACTORS INDEMNITY COMPANY, stipulate to and request entry of an order
4 dismissing SURETY COMPANY OF THE PACIFIC and AMERICAN CONTRACTORS
5 INDEMNITY COMPANY without prejudice.

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7 So agreed and stipulated:

8 Hausman & Sosa LLP

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10 Dated: February 18, 2010

11 By: /s/ Geoffrey R. Hudson
12 Geoffrey R. Hudson
13 Attorneys for Surety Company of the Pacific and
14 American Contractors Indemnity Company

15 Katzenbach & Khtikian

16 Dated: February 19, 2010

17 By: /s/ Kent Khtikian
18 Kent Khtikian
19 Attorneys for Plaintiffs

20 **Attestation Of Concurrence**

21 I, Kent Khtikian, declare that Geoffrey Hudson has signed the Stipulation set forth above
22 and that I have in my possession his signature on this document.

23 I declare under penalty of perjury that the foregoing is true and correct.

24 Executed this 19th day of February 2010, in San Francisco, California.

25 /s/ Kent Khtikian
26 Kent Khtikian

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ORDER

It is hereby ordered that SURETY COMPANY OF THE PACIFIC and AMERICAN CONTRACTORS INDEMNITY COMPANY are dismissed without prejudice.

Dated: February 19, 2010



Judge

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