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10 Attorneys for Defendant

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 12 UNITED STATES DISTRICT COURT  
 13 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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15 GIL CROSTHWAITE and RUSS BURNS, in  
 their respective capacities as Trustees of the  
 16 OPERATING ENGINEERS’ HEALTH AND  
 WELFARE TRUST FUND, et al.,  
 17  
 Plaintiffs,  
 18  
 v.  
 19 FOSTER & SONS GENERAL  
 20 ENGINEERING CONTRACTORS, INC., a  
 California corporation,  
 21  
 Defendant.  
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Case No.: C10-0457 MMC

**STIPULATION FOR EXTENSION OF  
 AMENDED MOTION FOR DEFAULT  
 JUDGMENT HEARING DATE**

Date: August 13, 2010  
 Time: 9:00 a.m.  
 Location: 450 Golden Gate Avenue  
 San Francisco, California  
 Courtroom: 7, 19<sup>th</sup> Floor  
 Judge: Honorable Maxine M. Chesney

23 Plaintiffs and Defendant jointly request that the Amended Motion for Default Judgment  
 24 hearing currently scheduled for August 13, 2010, at 9:00 a.m., be extended for two weeks, as  
 25 follows:  
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 27  
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1           1.       Plaintiff OPERATING ENGINEERS' HEALTH AND WELFARE TRUST FUND  
2 filed an Amended Motion for Default Judgment ("Motion") against Defendant FOSTER & SONS  
3 GENERAL ENGINEERING CONTRACTORS, INC. on July 9, 2010.

4           2.       The Motion is set for hearing for August 13, 2010.

5           3.       The parties are presently engaging in settlement negotiations, which, if successful,  
6 will resolve this matter.

7           4.       We therefore jointly request that the Amended Motion for Default Judgment  
8 hearing be continued to August 27, 2010 in order to allow Plaintiffs time to prepare the Stipulation  
9 for Defendant to review and execute it.

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11 Dated: July 23, 2010

SALTZMAN & JOHNSON  
LAW CORPORATION

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\_\_\_\_\_/s/\_\_\_\_\_  
Michele R. Stafford  
Attorney for Plaintiffs

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16 Dated: July 23, 2010

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE and CARRUTH, LLP

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\_\_\_\_\_/s/\_\_\_\_\_  
Marisa L. Balch, Esq.  
Attorney for Defendant

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20 ORDER

21 The Amended Motion for Default Judgment hearing currently scheduled for August 13, 2010 at  
22 9:00 a.m. is hereby extended to August 27, 2010.

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24 Date:   July 28, 2010

  
UNITED STATES DISTRICT COURT JUDGE

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