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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 BOARD OF TRUSTEES OF THE
 LABORERS HEALTH AND WELFARE
 11 TRUST FUND FOR NORTHERN
 CALIFORNIA; BOARD OF TRUSTEES OF
 12 THE LABORERS VACATION-HOLIDAY
 TRUST FUND FOR NORTHERN
 13 CALIFORNIA; BOARD OF TRUSTEES OF
 THE LABORERS PENSION TRUST FUND
 14 FOR NORTHERN CALIFORNIA; and
 BOARD OF TRUSTEES OF THE
 15 LABORERS TRAINING AND RETRAINING
 TRUST FUND FOR NORTHERN
 16 CALIFORNIA,

Case No.: CV 10-00699 EDL

**NOTICE OF BANKRUPTCY AND
 REQUEST FOR STAY; ORDER
 THEREON**

17 Plaintiffs,

18 v.

19 HEIDE & WILLIAMS, INC., a California
 corporation; and DAVID WILLARD HEIDE,
 20 an individual,

21 Defendant.


22
 23 Plaintiffs Laborers Trust Funds provide this Court with the following Notice of
 24 Bankruptcy and Request for Stay.

25 On March 11, 2010 Defendant Heide & Williams, Inc. filed for Chapter 7 Bankruptcy in
 26 the United States Bankruptcy Court, Northern District of California (Santa Rosa), Case No. 10-
 27 10830 AJ 7. Attached hereto as Exhibit A is a copy of the Notice of Chapter 7 Bankruptcy
 28 Case.

1 This action should therefore be stayed as to Defendant Heide & Williams, Inc. pursuant
2 to 11 U.S.C. § 362(a). Although Defendant David Heide has not filed for bankruptcy protection,
3 the claims against him, individually, are derivative of the claims against Heide & Williams, Inc.
4 and therefore, Plaintiffs Laborers Trust Funds recommend that the entire action be stayed
5 pending the bankruptcy of Heide & Williams, Inc.

6 DATED: April 15, 2010

7 BULLIVANT HOUSER BAILEY PC

8
9 By 
10 Ronald L. Richman
Susan J. Olson

11 Attorneys for Plaintiffs

12 **ORDER**

13 Plaintiffs Laborers Trust Funds having advised this Court of the bankruptcy of
14 Defendant Heide & Williams, Inc. and having requested a stay of this action as to Defendant
15 David Heide, personally, pending the bankruptcy, and good cause appearing:

16 IT IS HEREBY ORDERED that this case is stayed. Counsel for Plaintiffs Trust Funds
17 shall provide this Court with a status update of the bankruptcy on or before October 15,
18 2010.

19 DATED: April 16, 2010

20 By 
21 HON. ELIZABETH D. LAPORTE
22 UNITED STATES MAGISTRATE JUDGE

23
24
25
26 12480887.1

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
Northern District of California (Santa Rosa)

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor Corporation listed below was filed on 3/11/10.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Heide & Williams, Inc.
PO Box 2007
Napa, CA 94558

Case Number:
10-10830

Social Security/Individual Taxpayer ID/Employer Tax ID/Other Nos.:
94-2539392

Attorney for Debtor(s) (name and address):

Richard V. Day
Law Offices of Richard V. Day
563 Jefferson St.
Napa, CA 94559
Telephone number: (707) 253-8500

Bankruptcy Trustee (name and address):

Jeffry Locke
530 Alameda Del Prado #396
Novato, CA 94949
Telephone number: (415) 413-4401
Email: JLtrustee@aol.com

Meeting of Creditors

Date: _____ Time: _____
Location: _____

Important Notice to Individual Debtors: The United States Trustee requires all debtors who are individuals to provide government-issued photo identification and proof of social security number to the trustee at the meeting of creditors.

Deadlines to File a Proof of Claim

Proof of Claim must be *received* by the bankruptcy clerk's office by the following deadline:

For all creditors (except a governmental unit): _____ For a governmental unit: **Must file before 180 days after the date relief was entered.**

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Claims" on the reverse side.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Address of the Bankruptcy Clerk's Office:

99 South "E" Street
Santa Rosa, CA 95404
Telephone number: 707-547-5900

For the Court:

Clerk of the Bankruptcy Court:
Gloria L. Franklin

Hours Open: Monday - Friday 9:00 AM - 4:30 PM

Date: 3/11/10