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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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11 ROSEMARY MUCKLOW, MIKE FURSMAN,) No. CV 10-1088 CRB

in their capacities as Trustees of the )

12 NORTHERN CALIFORNIA UFCW )

WHOLESALE HEALTH & WELFARE )

13 FUND, )

Plaintiffs, )

14 )

15 v. )

16 )

SAN JOSE TALLOW CO., a California )

17 Corporation, )

18 )

Defendant. )

18 )

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND TIME FOR  
MEDIATION**

19 Plaintiffs and Defendant, by and through their counsel, hereby stipulate and respectfully  
 20 request that the Court so order that the deadline for mediation in the above-entitled action be  
 21 extended to November 15, 2010. The Parties recently met and conferred with the mediator  
 22 assigned to this case, Michael Sobel, and scheduled the mediation for October 26, 2010.  
 23 Additionally, the additional time, if granted, will allow the Parties an opportunity to exchange  
 24 documents relevant to the audit of Defendant's books and records prior to the mediation session.  
 25 However, Defendant will not be able to produce the documents and Plaintiffs will not be able to  
 26 review the documents prior to the mediation deadline of September 23, 2010. Accordingly, the  
 27 parties have agreed to extend the deadline for mediation to November 15, 2010.

28

1 Dated: September 15, 2010

2 WEINBERG, ROGER & ROSENFELD  
3 A Professional Corporation

4 By: /s/ Ezekiel D. Carder  
5 EZEKIEL D. CARDER  
Attorneys for Plaintiffs

6 Dated: September 15, 2010

7 HOPKINS & CARLEY  
8 A Law Corporation

9 By: /s/ Daniel F. Pyne  
10 DANIEL F. PYNE  
Attorneys for Defendant

11 **ORDER**

12  
13 The Court approves the terms of the above Stipulation and the Parties are ordered to  
14 comply with this Order. In addition the Court orders:

15  
16  
17 Dated: September 17, 2010

18  
19 HONORABLE  
20 UNITED STATES



21 121919/589065