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13
14 UNITED STATES DISTRICT COURT

15 FOR THE NORTHERN DISTRICT OF CALIFORNIA

16
17 F. G. CROSTHWAITE, et al., as Trustees of
the OPERATING ENGINEERS HEALTH
18 AND WELFARE TRUST FUND, et al.

19 Plaintiffs,

20 v.

21 CRUZ EXCAVATING, INC., a California
Corporation; STEVEN BELMIRO CRUZ, an
Individual; ZEPHYR COMPANIES, INC. *aka*
22 ZEPHYR COMPANIES BMP'S &
DEFENSIBLE SPACE *aka* CRUZ
23 EXCAVATING, INC., a California
Corporation; and SCOTT DAVID FREIDUS,
24 an Individual,

25 Defendants.

Case No.: C10-1110 SC

**STIPULATION TO EXTEND MEDIATION
DEADLINE**

26
27 The parties to the above-entitled action hereby stipulate to extend the deadline for
28 mediation for the following reasons:

**STIPULATION TO EXTEND MEDIATION DEADLINE
and [PROPOSED] THEREON**

Case No.: C10-1110 SC

1 1. An initial telephone conference with Mediator Arthur R. Siegel occurred on
2 October 4, 2010. During the conference call, a Mediation date of February 2, 2011 was set,
3 pending the Court's approval. The current mediation deadline is December 8, 2010.

4 2. The parties are currently exchanging documents and other information, and require
5 additional time to exchange and review additional documents in the attempt to resolve this matter
6 without the further intervention of the Court.

7 3. In order to allow the mediation hearing to occur on February 2, 2011 as tentatively
8 scheduled, the parties respectfully request that the mediation deadline be extended to February 23,
9 2011. An extension of the mediation deadline will allow negotiations between the parties to
10 continue.

11 Respectfully submitted,


12 Dated: October 6, 2010

**SALTZMAN & JOHNSON
LAW CORPORATION**

14 By: /S/Michele R. Stafford
15 Michele R. Stafford
16 Attorneys for Plaintiffs

17 Dated: October 6, 2010

**LAW OFFICE OF JASON GUINASSO,
LTD.**

*this is
LAST G+T*



19 By: /S/ Jason D. Guinasso
20 Jason D. Guinasso
21 Attorneys for Defendants

ORDER

23 Good cause appearing, the mediation deadline is extended to February 23, 2011.

24 IT IS SO ORDERED.

25 Dated: 11/8/10


26 THE HONORABLE SAMUEL CONTI
27 SENIOR JUDGE
28 UNITED STATES DISTRICT COURT JUDGE