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9 UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 BAY AREA PAINTERS AND TAPERS
PENSION TRUST FUND, et al.

12 Plaintiffs,
13 v.

14 ADVANCED INTERIOR SYSTEMS, INC., a
California Corporation; and ROBERT LEE
15 BROWN, an Individual,

16 Defendants.

Case No.: C10-1305 MMC ORDER RE:

**STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE;
OR ALTERNATIVELY, JOINT REQUEST
TO APPEAR BY TELEPHONE**

Date: ~~July 9, 2010~~
 Time: 10:30 a.m.
 Ctrm: 7, 19th Floor
 Judge: The Honorable Maxine M. Chesney

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18 The parties hereby submit a Stipulation to Continue the Case Management Conference,
19 currently scheduled for July 9, 2010 at 10:30 a.m.

20 1. As the Court’s records will reflect, this action was filed on March 29, 2010, to
21 compel Defendants’ provision of certain documents for examination by ERISA Plaintiffs
22 necessary to complete an audit of Defendants’ records for the period of January 1, 2006 through
23 the date of audit, pursuant to the terms of the Collective Bargaining Agreement and the governing
24 documents of the ERISA Plaintiffs.

25 2. Service on Defendants was effectuated on April 1, 2010, and a Proof of Service of
26 Summons was filed with the Court on April 19, 2010.

27 3. Defendants’ Answer to the Complaint was filed on April 14, 2010.

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1 4. The parties have agreed to mediation of this matter in the event that it is not
2 resolved informally.

3 5. However, Defendant has now agreed to do certain calculations needed to provide
4 the documents necessary to complete Plaintiffs' audit. It is anticipated that those documents will
5 be completed within 45 days, and forwarded to Plaintiffs' auditor for review.

6 6. Accordingly, the parties hereto respectfully request that the Case Management
7 Conference, currently scheduled for July 9, 2010, be continued for approximately 60 days to allow
8 Defendants to provide Plaintiffs with their calculations; for the auditor to review and analyze those
9 results; for an audit report to be issued and reviewed by Defendants; and for any necessary
10 discussion between the parties to ensue, including payment of amounts found due, if any, and to
11 arrange a payment plan if necessary. If the matter is thereby resolved, Plaintiffs will dismiss this
12 action; if not, Plaintiffs will take further appropriate action, to be determined upon any dispute that
13 is not otherwise resolved.

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1 7. There are no issues that need to be addressed by the parties at the currently
2 scheduled Case Management Conference. In the interest of conserving costs as well as the Court's
3 time and resources, the parties jointly request that the Court continue to currently scheduled Case
4 Management Conference by approximately 60 days. In the event that it is not continued, the
5 parties respectfully request that they both be permitted to appear by telephone to keep fees and
6 costs at a minimum.

7 Date: June 29, 2010

**SALTZMAN & JOHNSON
LAW CORPORATION**

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By: /S/Muriel B. Kaplan
Muriel B. Kaplan
Attorneys for Plaintiffs

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12 Date: June 29, 2010

LAW OFFICE OF C. PATRICK STOLL

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By: /S/Carl Patrick Stoll
Carl Patrick Stoll
Attorneys for Defendant

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ORDER

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17 The Case Management Conference currently scheduled for July 9, 2010 is hereby
18 continued to September 10, 2010. A Joint Case Management Conference
19 Statement shall be filed one week prior to the new date.

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~~OR~~

21 ~~The Case Management Conference currently scheduled for July 9, 2010 remains on~~
22 ~~calendar as set. Both parties are permitted to appear by telephone.~~

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Date: July 8, 2010

/s/ Vaughn R Walker for
THE HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT COURT JUDGE

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