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 7 ASSOCIATION, LOCAL UNION No. 104
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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12

13 SHEET METAL WORKERS')
 INTERNATIONAL ASSOCIATION, LOCAL)
 14 104,)
 15)
 Plaintiff,)
 16)
 vs.)
 17)
 DIV 15 TECH, Inc.)
 18)
 Defendant.)
 19)
 20)

Case No.: 10-02983 JSW

**STIPULATION REGARDING
 SCHEDULING AND FILING OF FIRST
 AMENDED ANSWER TO COMPLAINT;
~~PROPOSED~~ ORDER; ~~DECLARATION
 OF EILEEN B. GOLDSMITH~~**

[CIV L.R. 6]

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STIPULATION AND ~~PROPOSED~~ ORDER

1 WHEREAS the Court's initial scheduling order in this case set September 24, 2010 as the last
2 day for the parties to file an ADR certification or stipulate as to ADR and to meet and confer regarding
3 initial disclosures pursuant to Fed. R. Civ. P. Rule 26; set October 8, 2010 as the last day for the parties
4 to file a Rule 26(f) report, complete their initial disclosures, and file a case management statement; and
5 set October 15, 2010 as the date for an initial case management conference;

6 WHEREAS Eileen Goldsmith, who is the principal attorney responsible for this case for
7 plaintiff Sheet Metal Workers Local 104 ("Local 104"), will be on a previously scheduled vacation out
8 of the country from September 19 through October 8, 2010, returning to work on October 11, 2010;

9 WHEREAS Paul Simpson, who is the principal attorney responsible for this case for defendant
10 Div 15 Tech, Inc. ("Div 15"), will be unavailable from September 13-17, 2010 and October 19-25,
11 2010 for a vacation out of state;

12 WHEREAS no prior extensions of time have been requested in this case;

13 WHEREAS the remaining schedule in this case will not be affected by the requested changes to
14 the dates set in the initial scheduling order, because no further deadlines have been scheduled yet;

15 The parties hereby stipulate as follows:

16 1. The parties jointly request the changes to the schedule set forth herein, subject to the
17 Court's approval.

18 2. The last day for the parties to file an ADR certification or stipulate as to ADR, and to
19 meet and confer regarding initial disclosures pursuant to Fed. R. Civ. P. Rule 26, shall be continued to
20 November 12, 2010.

21 3. The last day for the parties to file a Rule 26(f) report, complete initial disclosures or state
22 objection in Rule 26(f) Report and file a case management statement, shall be continued to November
23 29, 2010.

24 4. The case management conference presently scheduled for October 15, 2010 shall be
25 continued to December 3, 2010 at 1:30 p.m.

26 5. Div 15 may file an Amended Answer to the Complaint, by no later than September 24,
27 2010.

1 6. By stipulating to Div 15's filing of an Amended Answer, Local 104 does not waive its
2 argument that, by failing to timely file a petition to vacate the arbitration award that Local 104 seeks to
3 enforce in this case, Div 15 has waived any and all defenses to confirmation of the arbitration award.

4 Dated: September 10, 2010

ALTSHULER BERZON LLP

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7 By: _____ /s/ _____
 Eileen B. Goldsmith

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9 Attorneys for Plaintiff Sheet Metal Workers'
International Association, Local Union No. 104

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12 Dated: September 10, 2010

SIMPSON, GARRITY, INNES & JACUZZI

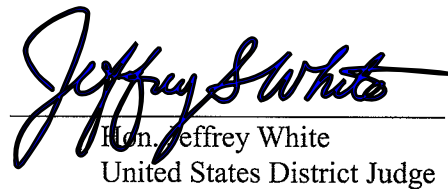
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14 By:  _____
 Paul V. Simpson

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16 Attorneys for Defendant Div 15 Tech, Inc.

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19 ~~PROPOSED~~ ORDER

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21 For good cause appearing, IT IS SO ORDERED.

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23 Dated: September 13, 2010

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 Hon. Jeffrey White
 United States District Judge