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16 *Attorneys for Plaintiff*
 17 PACIFIC MARITIME ASSOCIATION

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA

20 PACIFIC MARITIME ASSOCIATION, a
 21 California corporation,

22 Plaintiff,

23 vs.

24 INTERNATIONAL LONGSHORE AND
 25 WAREHOUSE UNION, LOCAL 10, an
 26 unincorporated labor organization;
 27 RICHARD MEAD, President of Local
 28 10; MIKE VILLEGGIANTE, Vice
 President of Local 10; and FARLESS
 DAILEY, Secretary-Treasurer of Local
 10.

Defendants.

Case No. CV 10-4104 SI

**STIPULATION AND PROPOSED ORDER
 ENFORCING ARBITRATION AWARD
 AND DISMISSING ACTION**

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STIPULATION

All parties, through their counsel of record, stipulate as follows:

This is an action to confirm and enforce a labor arbitration award under Section 301 of the Labor Management Relations Act of 1947. All parties agree that the award (attached hereto as Exhibit A) should be confirmed and enforced, and that this action should be dismissed with prejudice.

Dated: December 8, 2010

MORGAN, LEWIS & BOCKIUS LLP

By /s/ Jason M. Steele
Jason M. Steele
Attorneys for Plaintiff
PACIFIC MARITIME ASSOCIATION

Dated: December 8, 2010

LEONARD CARDER LLP

By /s/ Eleanor Morton
Eleanor Morton
Attorneys for Defendants
INTERNATIONAL LONGSHORE AND
WAREHOUSE UNION, LOCAL 10,
RICHARD MEAD, MIKE
VILLEGGIANTE, and FARLESS
DAILEY

ORDER

Based on the foregoing stipulation of the parties, the Court orders that the Coast Arbitrator's September 12, 2010 arbitration award (attached hereto as Exhibit A) is hereby CONFIRMED and ENFORCED. This action is DISMISSED with prejudice.

Dated: _____

Hon. Susan Illston
U.S. District Judge

IN ARBITRATION PROCEEDINGS PURSUANT TO THE
COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PARTIES

INTERNATIONAL LONGSHORE AND]	C-09-2010
WAREHOUSE UNION,]	
]	ORDER
]	
Union,]	of
and]	
]	JOHN KAGEL
]	
PACIFIC MARITIME ASSOCIATION,]	Coast Arbitrator
]	
Employer.]	September 12, 2010
]	
]	Palo Alto, California
Re: Employers request to affirm awards]	

APPEARANCES:

For the Employers: Rich Marzano, PMA

For the Union: No appearance

BACKGROUND:

In NCAA-35-2010 of this date Area Arbitrator Lane decided:

- “1. ILWU Local 10 Officials and members are in violation of Sections 11.1, 11.2, and 11.3 for failing to go to work at 8:00 a.m.
2. The longshoremen ordered for 8:00 a.m. shall immediately turn to and work as directed by the employer.
3. There is no stand-by time payable to the longshoremen ordered for the 8:00 a.m. start.”

In NCAA-36-2010, later this morning, he decided:

”ILWU Local 10 Officials and members are guilty of failing to implement Decision NCAA-035-2010, in accordance with Section 17.57, when the longshoremen ordered for the 8:00 a.m. start did not turn to, in accordance with that Decision.

The local grievance machinery has stalled and failed to work as described in Section 17.282.”

PMA has represented that efforts to contact the Union members of the CLRC have been unavailing.

ORDER

Until and unless the Union requests reconsideration of this order, after conferring with the Employers, and a telephonic hearing is held, NCAA-35-2010 and NCAA-36-2010 are affirmed and shall be in force for all purposes.

This order is considered as served by email the same as if in typescript and signed by the Coast Arbitrator.

SO ORDERED

_____s/ John Kagel_____

Coast Arbitrator

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ENFORCING ARBITRATION AWARD
AND DISMISSING ACTION**

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Jason M. Steele
Attorneys for Plaintiff
PACIFIC MARITIME ASSOCIATION

Dated: December 8, 2010

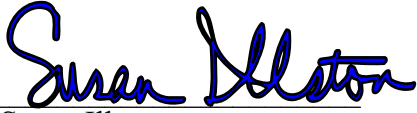
LEONARD CARDER LLP

By /s/ Eleanor Morton
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Attorneys for Defendants
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