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6 Attorneys for Plaintiffs

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 BOARD OF TRUSTEES OF THE  
LABORERS HEALTH AND WELFARE  
11 TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
12 THE LABORERS VACATION-HOLIDAY  
TRUST FUND FOR NORTHERN  
13 CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS PENSION TRUST FUND  
14 FOR NORTHERN CALIFORNIA; and  
BOARD OF TRUSTEES OF THE  
15 LABORERS TRAINING AND RETRAINING  
TRUST FUND FOR NORTHERN  
16 CALIFORNIA,

17 Plaintiffs,

18 v.

19 RMT LANDSCAPE CONTRACTORS, INC.,  
a California corporation; RICK LOUIS DE  
20 HERRERA, an individual,

21 Defendants.

Case No.: C 11-00561 EMC

**JOINT CASE MANAGEMENT  
CONFERENCE STATEMENT; ORDER  
THEREON**

**Date: December 20, 2011**  
**Time: 9:00 a.m.**  
**Ctroom: 5, 17<sup>th</sup> Floor**  
**Hon. Edward M. Chen**

22  
23 **STATEMENT**

24 On July 28, 2011 the parties participated in Early Neutral Evaluation with ENE Stephen  
25 A. McKae. The parties reached a settlement of the case.

26 The parties are still working out the final details of the settlement agreement and now  
27 anticipate that the settlement agreement will be executed and this case dismissed within the next  
28 30 days.

1 Based on the above, Plaintiffs respectfully request that this Court continue the Case  
2 Management Conference for 30 days at which time the parties expect this case will be dismissed  
3 pursuant to the settlement reached by the parties.

4 DATED: December 13, 2011

5 BULLIVANT HOUSER BAILEY PC

6  
7 By /s/ \_\_\_\_\_  
8 Ronald L. Richman  
9 Susan J. Olson

10 Attorneys for Plaintiffs

11 DATED: December 13, 2011

12 LITTLER MENDELSON

13 By /s/ \_\_\_\_\_  
14 Richard N. Hill

15 Attorneys for Defendants

16 **ORDER**

17 Pursuant to Plaintiffs' request and good cause appearing:

18 IT IS HEREBY ORDERED that the Case Management Conference be continued to  
19 at 9:00 a.m.  
20 January 27, 2012, Courtroom 5, 17<sup>th</sup> Floor. Should Plaintiffs have their dismissal on file  
21 prior to the Case Management Conference, the Case Management Conference will be vacated.

22 DATED: December 16, 2011

23 13642600.1

