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5 Attorney for Defendants,
 6 RAISCH COMPANY and A.J. RAISCH PAVING CO.

7 **UNITED STATES DISTRICT COURT**
 8 **NORTHERN DISTRICT OF CALIFORNIA**

10 PENSION TRUST FUND FOR OPERATING
 11 ENGINEERS; F.G. CROSTHWAITE and
 12 RUSSELL E. BURNS, as Trustees,

13 Plaintiffs,

14 vs.

15 RAISCH COMPANY, et al.,

16 Defendants.

Case No.: CV11-1250-CRB

**STIPULATION TO SET ASIDE
 CLERK’S DEFAULT AGAINST
 RAISCH COMPANY AND A. J.
 RAISCH PAVING COMPANY**

~~PROPOSED~~ ORDER

17 COME NOW, Plaintiffs PENSION TRUST FUND FOR OPERATING ENGINEERS; F.G.
 18 CROSTHWAITE and RUSSELL E. BURNS, as Trustees (“Plaintiffs”), and Defendants RAISCH
 19 COMPANY, a California corporation and A. J. RAISCH PAVING COMPANY, a California
 20 corporation (“Defendants”), and hereby stipulate and agree as follows:

- 21 1. Plaintiffs obtained a Clerk’s default against all named defendants on May 9, 2011.
- 22 2. Defendants answered Plaintiffs’ Complaint on May 10, 2011.

23 Plaintiffs and Defendants hereby stipulate and agree to set aside the Clerk’s Default as to
 24 Defendants RAISCH COMPANY, a California corporation and A. J. RAISCH PAVING
 25 COMPANY, a California corporation only. Plaintiffs reserve all rights, claims and remedies against
 26 all defendants, including but not limited to their right to object to the defenses on the basis that they
 27 may have been waived since the Answer was untimely.

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Dated: June 11, 2011

/s/ Wayne A. Silver
Wayne A. Silver, attorney for Defendants
RAISCH COMPANY and A.J. RAISCH
PAVING CO.

Dated: June __, 2010

SALTZMAN & JOHNSON

By:/s/ Shaamini Babu
Shaamini Babu, attorney for Plaintiffs,
PENSION TRUST FUND FOR
OPERATING ENGINEERS; F.G.
CROSTHWAITE and RUSSELL E.
BURNS, as Trustees

ORDER

Good cause appearing, the Stipulation is approved and the Clerk's default against Defendants
RAISCH COMPANY and A.J. RAISCH PAVING CO. is hereby vacated.

Dated: June 14 2011

