

1 BARRY E. HINKLE, Bar No. 071223  
 PATRICIA A. DAVIS, Bar No. 179074  
 2 EZEKIEL D. CARDER, Bar No. 206537  
 WEINBERG, ROGER & ROSENFELD  
 3 A Professional Corporation  
 1001 Marina Village Parkway, Suite 200  
 4 Alameda, California 94501  
 Telephone (510) 337-1001  
 5 Fax (510) 337-1023  
 E-Mail: bhinkle@unioncounsel.net  
 6 pdavis@unioncounsel.net  
 ecarder@unioncounsel.net

7 Attorneys for Plaintiffs

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12 THE BOARD OF TRUSTEES, in their  
 13 capacities as Trustees of the LABORERS  
 HEALTH AND WELFARE TRUST FUND  
 14 FOR NORTHERN CALIFORNIA; ,

15 Plaintiffs,

16 v.

17 BROWN & FESLER, INC., a California  
 18 Corporation,

19 Defendant.

No. C 11-03671 NC

**STIPULATION FOR DISMISSAL  
 WITHOUT PREJUDICE; REQUEST  
 TO VACATE CASE MANAGEMENT  
 CONFERENCE; [~~PROPOSED~~] ORDER**

20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28

1 NOTICE IS HEREBY GIVEN that Plaintiffs and Defendant stipulate to voluntarily  
2 dismiss the above-captioned action without prejudice. The parties have agreed upon a resolution  
3 of this matter and Defendant is currently making the required payments to Plaintiffs.  
4 Additionally, pursuant to the terms of the written settlement agreement, the parties respectfully  
5 request that the Court maintain jurisdiction over this case for twenty-four (24) months from  
6 March 1, 2012 to interpret and enforce the settlement agreement.

7 A Case Management Conference has been scheduled for March 14, 2012 at 2:00 p.m.  
8 With this Stipulation for Dismissal, the parties also request that said Case Management  
9 Conference be vacated.

10 Dated: March 6, 2012

WEINBERG, ROGER & ROSENFELD  
A Professional Corporation

11  
12 By: /s/ Ezekiel Carder  
EZEKIEL D. CARDER  
13 Attorneys for Plaintiffs

14 Dated: March 6, 2012

LITTLER MENDELSON, P.C.

15  
16 By: /s/ John Post  
RICHARD N. HILL  
17 JOHN C. POST  
18 Attorneys for Defendant

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**[PROPOSED] ORDER**

The parties have resolved this matter and requested that this Court maintain jurisdiction over the case. IT IS HEREBY ORDERED that this case be dismissed pursuant to the foregoing Stipulation without prejudice. The Court shall maintain jurisdiction over this case until February 28, 2014. The Case Management Conference set for March 14, 2012 is hereby vacated.

Dated: March 7, 2012

  
HONORABLE NATHANAEL M. COUSINS  
UNITED STATES MAGISTRATE JUDGE

126261/658415