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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

11	PAUL BENSI, BART FLORENCE, JERRY)	No. C 11-03875 EMC
	KALMAR, and LYLE SETTER, in their)	
12	capacities as Trustees of the STATIONARY)	
	ENGINEERS LOCAL 39 PENSION TRUST)	STIPULATED REQUEST TO
13	FUND; STATIONARY ENGINEERS LOCAL)	CONTINUE CASE MANAGEMENT
	39 HEALTH AND WELFARE TRUST FUND;)	CONFERENCE AND RELATED
14	and STATIONARY ENGINEERS LOCAL 39)	DEADLINES; [PROPOSED] ORDER
	ANNUITY TRUST FUND,)	
15)	
	Plaintiffs,)	
16)	
	v.)	
17	LITKE PROPERTIES, INC., a California)	
18	Corporation,)	
)	
19	Defendant.)	

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Pursuant to Civil Local Rules 7-12 and 16-2, Plaintiffs and Defendant hereby respectfully request that the Initial Case Management Conference scheduled for December 20, 2011 at 9:00 a.m. and related deadlines be continued for sixty (60) days to allow the Parties additional time to continue their discussions regarding a possible resolution of this action without the necessity of further litigation, time and expense.

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Plaintiffs and Defendant have been engaged in informal discussions and are requesting a continuance of the Case Management Conference and related deadlines to allow the Parties

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1 additional time for the Defendant to provide Plaintiffs with the documents necessary for Plaintiffs'
2 auditors to complete the audit sought in the Complaint. The Parties have not requested a prior
3 continuance of the Case Management Conference and related deadlines.

4 The Parties expect that the requested extension of the date for the Initial Case Management
5 Conference will have no adverse effect on the schedule for the case. No trial date or other
6 deadlines have yet been set. The requested extension may facilitate the resolution of the action.
7 The continuance of the Case Management Conference would promote judicial efficiency as
8 Defendant has agreed to provide the documents necessary for Plaintiffs' auditors to complete the
9 audit sought in the Complaint.

10 Dated: December 12, 2011

11 WEINBERG, ROGER & ROSENFELD
12 A Professional Corporation

13 By: /s/ Ezekiel D. Carder
14 WILLIAM A. SOKOL
15 LINDA BALDWIN JONES
EZEKIEL D. CARDER
Attorneys for Plaintiffs

16 Dated: December 12, 2011

17 ABRAHAM LAW OFFICES

18 By: /s/ A.K. Abraham
19 A.K. ABRAHAM
20 Attorneys for Defendant

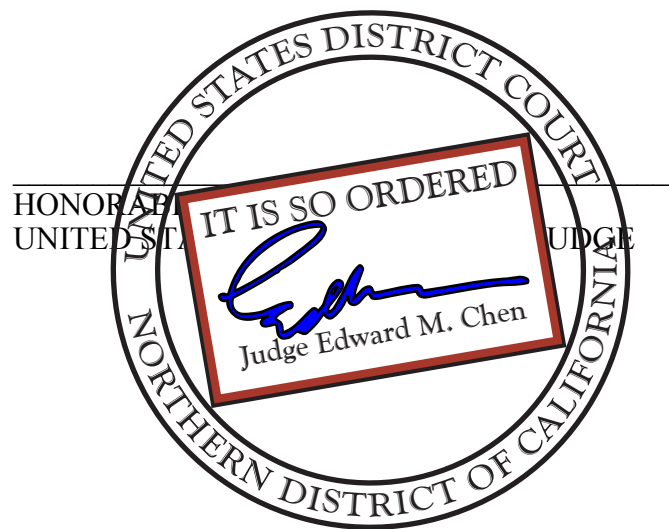
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[PROPOSED] ORDER

Based upon the foregoing Stipulated Request to Continue Case Management Conference and Related Deadlines, the Court orders the continuance of the Initial Case Management Conference and related deadlines for sixty (60) days, or as soon thereafter as a court date is available. In addition, the Court Orders: CMC is reset for 2/24/12 at 9:00 a.m. Joint CMC statement is due 2/17/12.

Dated: December 13, 2011



128627/647657

1 **CERTIFICATE OF SERVICE**

2 I am a citizen of the United States and an employee in the County of Alameda, State of
3 California. I am over the age of eighteen years and not a party to the within action; my business
4 address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501-1091. On
5 December 12, 2011, I served upon the following parties in this action:
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7 A.K. Abraham
8 Abraham Law Offices
9 1056 Windjammer Circle
10 Foster City, CA 94404-3057

11 copies of the document(s) described as:

12 **STIPULATED REQUEST TO CONTINUE CASE MANAGEMENT**
13 **CONFERENCE AND RELATED DEADLINES; [PROPOSED] ORDER**

14 **BY MAIL** I placed a true copy of each document listed herein in a sealed envelope,
15 addressed as indicated herein, and caused each such envelope, with postage thereon fully
16 prepaid, to be placed in the United States mail at Alameda, California. I am readily familiar
17 with the practice of Weinberg, Roger & Rosenfeld for collection and processing of
18 correspondence for mailing, said practice being that in the ordinary course of business, mail
19 is deposited in the United States Postal Service the same day as it is placed for collection.

20 **BY OVERNIGHT DELIVERY SERVICE** I placed a true copy of each document listed
21 herein in a sealed envelope, addressed as indicated herein, and placed the same for
22 collection by Overnight Delivery Service by following the ordinary business practices of
23 Weinberg, Roger & Rosenfeld, Alameda, California. I am readily familiar with the practice
24 of Weinberg, Roger & Rosenfeld for collection and processing of Overnight Delivery
25 Service correspondence, said practice being that in the ordinary course of business,
26 Overnight Delivery Service correspondence is deposited at the Overnight Delivery Service
27 offices for next day delivery the same day as Overnight Delivery Service correspondence is
28 placed for collection.

BY FACSIMILE I caused to be transmitted each document listed herein via the fax
number(s) listed above or on the attached service list.

I certify under penalty of perjury that the above is true and correct. Executed at Alameda,
California, on December 12, 2011.

/s/ Joanna Son
Joanna Son