

1 WILLIAM A. SOKOL, Bar No. 072740  
 LINDA BALDWIN JONES, Bar No. 178922  
 2 EZEKIEL D. CARDER, Bar No. 206537  
 WEINBERG, ROGER & ROSENFELD  
 3 A Professional Corporation  
 1001 Marina Village Parkway, Suite 200  
 4 Alameda, California 94501-1091  
 Telephone 510.337.1001  
 5 Fax 510.337.1023

6 Attorneys for Plaintiffs

7  
8  
9  
10

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 ) **STIPULATION TO EXTEND**  
 13 FUND; STATIONARY ENGINEERS LOCAL ) **DEADLINE FOR DEFENDANT TO**  
 39 HEALTH AND WELFARE TRUST FUND; ) **ANSWER COMPLAINT ; ORDER**  
 14 and STATIONARY ENGINEERS LOCAL 39 )  
 ANNUITY TRUST FUND, )  
 15 )  
 Plaintiffs, )  
 16 )  
 v. )  
 17 )  
 LITKE PROPERTIES, INC., a California )  
 18 Corporation, )  
 )  
 19 Defendant. )  
 )  
 20

21 Pursuant to Federal Rules of Civil Procedure 12, and Local Rule 6-1(a), Plaintiffs and  
 22 Defendant hereby stipulate to extend the time within which Defendant has to answer or otherwise  
 23 respond to the Complaint.

24 Plaintiffs filed the Complaint in this action on or around August 8, 2011, and Defendant  
 25 was served with the Complaint and Summons on or around August 26, 2011. With this stipulation,  
 26 Defendant's deadline for answering and or otherwise responding to the Complaint is extended to  
 27 September 30, 2011.

1 The parties submit that the additional time will not alter any deadline set by the Court, and  
2 agree that pursuant to Local Rule 6-1(a), this stipulation is respectfully submitted to the Court for  
3 approval without the necessity of a hearing or Order.

4  
5 Dated: August 31, 2011

6 WEINBERG, ROGER & ROSENFELD  
7 A Professional Corporation

8 By: /s/ Linda Baldwin Jones  
9 WILLIAM A. SOKOL  
10 LINDA BALDWIN JONES  
11 EZEKIEL D. CARDER  
12 Attorneys for Plaintiffs

13  
14 Dated: August 31, 2011

15 EVANS & HEIL

16 By: /s/ Leland B. Evans  
17 LELAND B. EVANS  
18 Attorneys for Defendant

19 128627/634966

20 IT IS SO ORDERED:

21 \_\_\_\_\_  
22 Edward M. Chen  
23 U.S. District Judge



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 September 2, 2011, I served upon the following parties in this action:

6 Lee B. Evans  
7 Law Offices of Evans & Heil  
8 8 Harris Court, Suite A-1  
9 Monterey, CA 93940

9 copies of the document(s) described as:

10 **STIPULATION TO EXTEND DEADLINE FOR DEFENDANT TO ANSWER  
11 COMPLAINT**

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

15  **BY PERSONAL SERVICE** I placed a true copy of each document listed herein in a  
16 sealed envelope, addressed as indicated herein, and caused the same to be delivered by  
hand to the offices of each addressee.

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

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

24 I certify under penalty of perjury that the above is true and correct. Executed at Alameda,  
25 California, on September 2, 2011.

26 /s/ Joanna Son  
27 Joanna Son