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6 Attorneys for Plaintiffs

7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 SERVICE EMPLOYEES INTERNATIONAL
UNION NATIONAL INDUSTRY PENSION
10 FUND; STEPHEN ABRECHT, Trustee;
RODERICK S. BASHIR, Trustee; KEVIN J.
11 DOYLE, Trustee; DAVID A. STILWELL,
Trustee; STEVEN W. FORD, Trustee; LARRY
12 T. SMITH, Trustee; FRANK A. MAXSON,
Trustee; EDWARD MANKO, Trustee; JOHN J.
13 SHERIDAN, Trustee; and MYRIAM
14 ESCAMILLA, Trustee,

Plaintiffs,

15 vs.

16 U.S. METRO GROUP, INC., a California
17 corporation,

Defendant.

CASE NO.: CV 11-05711 MEJ

**STIPULATION FOR CONTINUANCE
OF CASE MANAGEMENT
CONFERENCE AND ~~PROPOSED~~
ORDER**

Date: Thursday, August 2, 2012

Time: 10:00 a.m.

Judge: Chief Magistrate Judge
Maria-Elena James
Courtroom B, 15th Floor
450 Golden Gate Ave.
San Francisco, CA

19 IT IS HEREBY STIPULATED by and between the parties hereto as follows:

- 20 1. The Complaint in this matter was filed on November 29, 2012 for Defendant's failure
21 to pay employee pension contributions owing to Plaintiff Service Employees
22 International Union National Industry Pension Fund. (Dkt. No. 1).
- 23 2. On February 15, 2012, Defendant U.S. Metro Group, Inc. executed a Waiver of the
24 Service of Summons. On February 23, 2012, the executed Waiver of Service of
25 Summons was filed with the Court. (Dkt. No. 4). Pursuant to the filed Waiver of
26 Service of Summons, Defendant's response to the Complaint was due by April 16,
27 2012.

- 1 3. On March 5, 2012, the Plaintiffs filed a Request for Continuance of Case
- 2 Management Conference to allow the parties to settle the matter (Dkt. No. 7).
- 3 4. On March 6, 2012, the Court ordered the initial Case Management Conference
- 4 continued for 60 days to May 24, 2012. (Dkt No. 9).
- 5 5. On March 6, 2012, the Defendant filed its Answer to the Complaint. (Dkt. No. 11).
- 6 6. On April 30, 2012, the parties filed a Stipulation to ADR, selecting the mediation
- 7 process, to occur within 90 days of the Court's order. (Dkt. No. 15).
- 8 7. On April 30, 2012, the Court entered its Order for Mediation to occur within 90 days
- 9 (by July 30, 2012). (Dkt No. 16).
- 10 8. On May 11, 2011, the Plaintiffs filed a Stipulation for Continuance of the Case
- 11 Management Conference to allow the parties to allow Plaintiffs to complete an audit
- 12 of Defendant's payroll records for the period of the contribution delinquencies, from
- 13 2005 through the present. (Dkt. No. 17).
- 14 9. On May 11, 2012, the Court ordered the initial Case Management Conference
- 15 continued to August 2, 2012. (Dkt. No. 18).
- 16 10. On May 22, 2012, the ADR Clerk notified the parties that R. Bradford Huss had
- 17 been appointed Mediator. (Dkt. No. 19).
- 18 11. On June 25, 2012, by agreement with the Mediator, the Plaintiffs filed a Motion to
- 19 Extend the Mediation Deadline. (Dkt. No. 20).
- 20 12. On June 25, 2012, the Court granted the Motion to Extend the Mediation Deadline
- 21 to September 27, 2012. (Dkt. No. 21).
- 22 13. On June 26, 2012, the parties were notified that Mediation had been set for August
- 23 21, 2012. At the Mediation, the parties hope to reach a settlement of this matter.
- 24 14. The parties therefore respectfully request that, in order to minimize costs and fees in
- 25 this action, to allow settlement of this matter, and in the interest of judicial economy,
- 26 the initial Case Management Conference be continued for a period of at least forty-
- 27 five (45) days.

1 Dated: July 25, 2012

SALTZMAN & JOHNSON LAW CORPORATION

2

By: _____ /S/

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Kimberly A. Hancock
Attorneys for Plaintiffs

4

5 Dated: July 25, 2012

LAW OFFICES OF A. J. NORTON

6

By: _____ (See attached signature page)

7

Aura J. Norton, III
Attorneys for Defendant

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9 IT IS SO ORDERED.

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Based on the foregoing, and for GOOD CAUSE appearing, the Case Management

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Conference currently set for Thursday, August 2, 2012 at 10:00 a.m. is hereby continued to

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October 4, 2012 at 10:00 a.m. All deadlines are adjusted accordingly.

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Date: _____ July 27, 2012



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The Honorable Maria-Elena James
Chief Magistrate Judge
United States District Court

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Dated: July __, 2012

SALTZMAN & JOHNSON LAW CORPORATION

By: _____ /S/ _____

Kimberly A. Hancock
Attorneys for Plaintiffs

Dated: July 25, 2012

LAW OFFICES OF A. J. NORTON

By: _____ /S/ _____

Aura J. Norton, III
Attorneys for Defendant

IT IS SO ORDERED.

Based on the foregoing, and for GOOD CAUSE appearing, the Case Management Conference currently set for Thursday, August 2, 2012 at 10:00 a.m. is hereby continued to _____ at 10:00 a.m.

Date: _____

The Honorable Maria-Elena James
Chief Magistrate Judge
United States District Court