

1 THEODORE FRANKLIN, Bar No. 168305
 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
 Telephone (510) 337-1001
 5 Fax (510) 337-1023
 E-Mail: tfranklin@unioncounsel.net
 6 lbjones@unioncounsel.net
 ecarder@unioncounsel.net

7 Attorneys for Respondent

8 JOSEPH E. WILEY (State Bar No. 84154)
 9 MONNA R. RADULOVICH (State Bar No. 120991)
 WILEY PRICE & RADULOVICH, LLP
 10 1301 Marina Village Parkway, Suite 310
 Alameda, California 94501
 11 Telephone (510) 337-2810
 Fax (510) 337-2811

12 Attorneys for Petitioner

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 CITY OF COLFAX,
 17 Petitioner,
 18 v.
 19 STATIONARY ENGINEERS LOCAL 39
 HEALTH & WELFARE TRUST FUND,
 20 Respondent.

No. C 12-00281 MMC

**STIPULATION TO CONTINUE ALL
 DATES RELATING TO
 RESPONDENT'S MOTION FOR
 ATTORNEYS' FEES; [PROPOSED]
 ORDER**

21 CITY OF COLFAX,
 22 Petitioner,
 23 v.
 24 STATIONARY ENGINEERS LOCAL 39
 HEALTH & WELFARE TRUST FUND,
 25 Respondent.

No. C 12-00562 MMC

1 Pursuant to Federal Rules of Civil Procedure 54, and Civil Local Rules 54-5 and 6-2, the
2 Parties to the above-captioned matters, by and through the undersigned counsel, hereby stipulate
3 to continue all dates relating to the motion for attorneys' fees filed by Respondent Stationary
4 Engineers Local 39 Health and Welfare Trust Fund ("Trust Fund"), currently scheduled for June
5 15, 2012, to allow the parties time to finalize a settlement, obtain approval of the Parties'
6 respective governing boards and execute all necessary settlement documents. The City Council
7 for the Petitioner City of Colfax will consider the proposed settlement at either its May 23, 2012
8 or June 13, 2012 meeting, depending upon when the Parties complete the necessary settlement
9 documents. It is anticipated that the settlement will be finalized by June 30, 2012.

10 In light of the foregoing, the Parties stipulate to: (1) continue the hearing on the
11 Respondent Trust Fund's motion for attorneys for at least 40 days to July 27, 2012; (2) continue
12 the deadline to file the Petitioner City of Colfax's opposition papers to fourteen calendar days
13 prior to said hearing date; and (c) continue the deadline to file the Respondent Trust Fund's reply
14 papers to seven calendar days prior to said hearing date.

15 With this stipulation, the Parties respectfully request that the Court: (1) continue the June
16 15, 2012 hearing date on Respondent's motions for attorneys' fee consistent with the above
17 stipulation; (2) extend the deadline for the Petitioner City of Colfax to file its opposition papers to
18 fourteen calendar days prior to said hearing date; and (c) extend the deadline for the Respondent
19 Trust Fund to file its reply papers to seven calendar days prior to said hearing date.

20 Dated: May 17, 2012

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

21
22 By: /s/ Linda Baldwin Jones
LINDA BALDWIN JONES
Attorneys for Respondent

23
24 Dated: May 17, 2012

WILEY PRICE RADULOVICH, LLP

25
26 By: /s/ Monna R. Radulovich
MONNA R. RADULOVICH
Attorneys for Petitioner

27
28

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

PURSUANT TO STIPULATION, IT IS SO ORDERED, and the hearing on the motion for attorneys fees is continued to July 27, 2012, with the exception that the deadline for the Respondent Trust Fund to file its reply papers is extended only to July 13, 2012.

Dated: May 18, 2012



HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT COURT JUDGE

129940/668972