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12 Attorneys for Defendants

13 UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 15 (SAN FRANCISCO DIVISION)

16 AUTOMOTIVE INDUSTRIES PENSION
 17 TRUST FUND, JAMES H. BENO, Trustee,
 18 BILL BRUNELLI, Trustee, STEPHEN J.
 19 MACK, Trustee, CHRIS CHRISTOPHERSEN,
 20 Trustee, DON CROSATTO, Trustee, MARK
 21 HOLLIBUSH, Trustee, JON ROSELLE,
 22 Trustee, DOUG CORNFORD, Trustee, and
 23 JAMES V. CANTERBURY, Trustee,

Case No.: CV 12-1518 EMC

**JOINT NOTICE OF INTENT TO
 SETTLE; [PROPOSED] ORDER
 THEREON**

Plaintiffs,

v.

Date: September 18, 2012
 Time: 10:30 a.m.
 Courtroom: 5, Seventeenth Floor
 Honorable Edward M. Chen

22 HUSTEAD’S, INC., a California corporation;
 23 JOE F. RUDD, individually and as Trustee of
 24 the Rudd Family Trust; MARY E. RUDD,
 25 individually and as Trustee of the Rudd Family
 26 Trust; GALE V. LARKS, an individual;
 27 CAROL A. LARKS, an individual; and DOES
 28 1 through 10,

Defendants.

1 Counsel for Plaintiffs, Automotive Industries Pension Trust Fund and its Board of Trustees
2 (collectively, "Plaintiffs") and Defendants, Hustead's, Inc., a California corporation; Joe F. Rudd,
3 individually and as Trustee of the Rudd Family Trust; Mary E. Rudd, individually and as Trustee
4 of the Rudd Family Trust; Gale V. Larks, an individual; and Carol A. Larks, an individual
5 (collectively, "Defendants"), together file this Joint Notice of Intent to Settlement and [Proposed]
6 Order.

7 1. On August 29, 2012, the plaintiffs and defendants participated in a mediation
8 session wherein the case settled.

9 2. The parties are under an obligation to file with the Court on September 11, 2012 a
10 Case Management Statement and to participate in a Case Management Conference currently
11 calendared for September 18, 2012 at 10:30 a.m.

12 3. Counsel for each party represents that the parties have reached a settlement that is
13 subject to a formal written agreement to be prepared.

14 4. As counsel and the parties work to consummate the final settlement, they believe
15 that there should be no need for them to file a Joint Case Management Statement because they
16 each now believe that the final settlement can be fully consummated.

17 5. The parties respectfully request that the Court continue the Case Management
18 Conference for sixty (60) days so that the Court does not lose track of this action, and the parties
19 now so request that continuance from the Court in light of the tended settlement referenced above.
20

21 IT IS SO STIPULATED.

22 Dated: September 11, 2012.

SALTZMAN & JOHNSON LAW CORPORATION

23
24 By: /S/ Anne M. Bevington
Anne M. Bevington
Attorneys for Plaintiffs

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1 I, Anne M. Bevington, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the
2 concurrence to the filing of this document has been obtained from each signatory hereto.

3 Dated: September 11, 2012.

HUDDLESTON & SIPOS LAW GROUP LLP

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5 By: /S/ Jeffrey J. Mann
6 Jeffrey J. Mann
7 Attorneys for Defendant

8 **ORDER**

9 **PURSUANT TO STIPULATION OF THE PARTIES, AND THEIR RESPECTIVE**
10 **COUNSEL, IT IS HEREBY ORDERED.**

11 1. Based upon the intended settlement of this action, the parties and their counsel are
12 relieved of the obligation to file with the Court on September 11, 2012 a Case Management
13 Statement.

14 2. In order for the Court to keep track of this action, the Case Management
15 Conference currently calendared for September 18, 2012 at 10:30 a.m. is continued to
16 November 30, 2012 at 10:30 a.m.

17 3. In the event this action is not fully settled, the parties and their counsel are directed
18 to file a Joint Case Management Statement with the Court by Nov. 23, 2012.

19 Date: September 13, 2012

20 HONORABLE EDWARD M. CHEN
21 UNITED STATES DISTRICT COURT

