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17 Attorneys for Defendant Gilroy Construction, Inc.



18 UNITED STATES DISTRICT COURT

19 FOR THE NORTHERN DISTRICT OF CALIFORNIA

20 F.G. CROSTHWAITE and RUSSELL E.
 BURNS, in their respective capacities as
 21 Trustees of the OPERATING ENGINEERS'
 HEALTH AND WELFARE TRUST FUND, et
 22 al.,

23 Plaintiffs,

24 vs.

25 GIACALONE ELECTRICAL SERVICES,
 INC., et al.,

26 Defendants.
27

Case No.: C12-6178 SI

**DISMISSAL OF DEFENDANT
 GIACALONE DESIGN SERVICES,
 INC. PURSUANT TO STIPULATION**

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1
 STIPULATION FOR DISMISSAL
 CASE NO. C12-6178 SI

1 Pursuant to Fed. R. Civ. Proc. Rule 41(a)(1)(A)(ii), all appearing parties stipulate as
2 follows:

3 Plaintiffs F.G. CROSTHWAITE and RUSSELL E. BURNS, in their respective capacities
4 as Trustees of the OPERATING ENGINEERS' HEALTH AND WELFARE TRUST FUND, et al.
5 and Defendants GIACALONE DESIGN SERVICES, INC. and GILROY CONSTRUCTION,
6 INC., hereby stipulate to the voluntarily dismissal without prejudice of Defendant GIACALONE
7 DESIGN SERVICES, INC. Plaintiffs have not previously filed or dismissed any similar action
8 against said Defendant. Default has been entered against Defendant GIACALONE
9 ELECTRICAL SERVICES, INC. since it did not appear in this action.

10 IT IS SO STIPULATED.

11 DATED: November 8, 2013

Saltzman & Johnson Law Corporation

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By: _____ /s/

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Shaamini A. Babu

Attorney For Plaintiffs

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Operating Engineers' Health And Welfare Trust Fund,
et al.; F.G. Crosthwaite and Russell E. Burns, As
Trustees

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17 DATED: November 8, 2013

Law Offices Of Charley M. Stoll

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By: _____ /s/

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Charley M. Stoll

Attorney For Defendant

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Giacalone Design Services, Inc.

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23 DATED: November 8, 2013

SWEENEY, MASON, WILSON & BOSOMWORTH

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By: _____ /s/

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Roger M. Mason, Esq

Attorney For Defendant

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Gilroy Construction, Inc.

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