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Atternave for Defendents Vincent Giacolone				
and Lisa Martha Giacalone				
UNITED STATES DISTRICT COURT				
FOR THE NORTHERN DISTRICT OF CALIFORNIA				
F.G. CROSTHWAITE and RUSSELL E. BURNS, in their respective capacities as	Case No.: CV 13-02338-SI			
BURNS, in their respective capacities as Trustees of the OPERATING ENGINEERS'	STIPULATION AND [PROPOSED			
HEALTH AND WELFARE TRUST FUND, et	ORDER] TO CONTINUE MEDIATION			
al.,	DEADLINE			
Plaintiffs,				
VS.				
GIACALONE ELECTRICAL SERVICES,				
INC., et al.,				
Defendants.				
	1			
	-1- STIPULATION RE MEDIATION			
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Plaintiffs Pension Plan for Pension Trust for Operating Engineer ("Fund" or "Plaintiffs")
 and Defendants Gilroy Construction, Inc., VLG2, LLC, Crow Court, LLC, Vincent Giacalone and
 Lisa Martha Giacalone (collectively "Defendants") through their respective counsel hereby
 stipulate to the following:

5 1. The Stipulation & Order Selecting ADR Process was entered on August 26, 2013,
6 specifying that mediation in this action must be completed within 90-days of the date of the order
7 i.e. November 24, 2013. (Docket No. 28).

8 2. This Court appointed James H. Fleming as a mediator on October 9, 2013 (Docket
9 No. 36). Counsel for Plaintiffs and Defendants participated in a call with Mr. Fleming on October
10 29, 2013.

3. The parties determined that they will not have sufficient opportunity to schedule,
prepare for, and participate in mediation prior to November 24, 2013. Specifically, Plaintiffs
require additional relevant documents and have subpoenaed third parties in order to have sufficient
information to hold a productive mediation. As such, the parties have agreed to participate in
mediation on Wednesday December 11, 2013. Mr. Fleming has confirmed that he is available for
mediation on that date.

17 4. Based on the foregoing, the parties hereby stipulate to continue the mediation
18 deadline. At this time, said extension will not result in a modification of the Case Management
19 Conference scheduled for January 17, 2014 (Docket No. 52).

20 21	Date: November 7, 2013	SALTZMAN & JOHNSON LAW CORPORATION
22		
23		By: //S// Shaamini A. Babu
24		Attorneys for Plaintiffs
25 26	Dated: November 7, 2013	SWEENEY, MASON, WILSON & BOSOMWORTH
27		By://S//
28		Roger M. Mason Attorneys for Defendant Gilroy Construction, Inc.
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1	CORPORATION	<i>.</i>	
2			
3	Dy//3//		
4	Autometys for Defendants VEO2 EEC an	d Crow	
5	5 Court LLC		
6	6		
7	7 Dated: November 7, 2013 HINSHAW & CULBERSTON LLP		
8			
9	Amy Jensen		
10	10 Attorneys for Defendants Vincent Giaca Lisa Martha Giacalone	lone and	
11			
12	12		
13	13 ORDER		
14	14 IT IS SO ORDERED.		
15	Based on the foregoing, and good cause appearing, the currently set mediation deadline is		
16	hereby extended to allow the parties to engage in mediation on December 11, 2013.		
17			
18	18 Date: 11/7/13		
10	I NUTED STATES DISTRICT COURT HIDGE		
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