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 BUILDING MAINTENANCE CO., INC., a California corporation

7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
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11 SERVICE EMPLOYEES INTERNATIONAL ) 12 UNION NATIONAL INUSTRY PENSION ) FUND; STEPHEN ABRECHT, Trustee; ) 13 RODERICK S. BASHIR, Trustee; KEVIN J. ) DOYLE, Trustee; DAVID A. STILWELL, ) 14 Trustee; STEVEN W. FORD, Trustee; ) LARRY T. SMITH, Trustee; FRANK A. ) 15 MASON, Trustee; EDWARD MANKO, ) Trustee; JOHN J. SHERIDAN, Trustee; JOHN ) 16 J. SHERIDAN, Trustee; and MYRIAM ) ESCAMILLA, Trustee, ) 17 Plaintiffs, ) 18 v. ) 19 GCA SERVICES GROUP, INC., a Delaware ) 20 corporation; and ACME BUILDING ) MAINTENANCE CO., INC., a California ) 21 corporation, ) 22 Defendants. ) 23	Case No. CV 13 0378  STIPULATION AND <del>PROPOSED</del> ORDER GRANTING CONTINUANCE OF CASE MANAGEMENT CONFERENCE
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24 **STIPULATION**

25 It is hereby stipulated and agreed by and between Plaintiffs SERVICE EMPLOYEES  
 26 INTERNATIONAL UNION NATIONAL INUSTRY PENSION FUND (the "Plaintiff Pension  
 27 Fund"), and STEPHEN ABRECHT, Trustee; RODERICK S. BASHIR, Trustee; KEVIN J.

28 Stipulation and [Proposed] Order Granting Continuance of Case Management Conference

1 DOYLE, Trustee; DAVID A. STILWELL, Trustee; STEVEN W. FORD, Trustee; LARRY T.  
2 SMITH, Trustee; FRANK A. MASON, Trustee; EDWARD MANKO, Trustee; JOHN J.  
3 SHERIDAN, Trustee; JOHN J. SHERIDAN, Trustee; and MYRIAM ESCAMILLA, Trustee  
4 (the "Plaintiff Trustees"), and Defendants GCA SERVICES GROUP, INC., ("GCA"), ACME  
5 BUILDING MAINTENANCE CO., INC., ("ACME"), (hereinafter collectively referred to as the  
6 "Parties"), by and through their respective attorneys of record, as follows:

7 WHEREAS the Parties met and conferred via telephone on September 18 and 20, 2013,  
8 as part of their obligations under Federal Rule of Civil Procedure R.26, regarding the matters at  
9 issue and discovery to be conducted;

10 WHEREAS the Parties agreed after such telephone conferences there is a potential for  
11 early resolution of the instant matter after limited informal discovery, particularly GCA and  
12 ACME obtaining and producing their 2006-2010 California Employment and Development  
13 Department ("EDD") Quarterly Wage and Withholding Reports ("DE-6 forms") to Plaintiffs;

14 WHEREAS GCA and ACME have duly requested copies of their respective DE-6 forms  
15 from the EDD currently await the processing and arrival of same;

16 WHEREAS on October 31, 2013, Plaintiff Pension Fund informed Defendants it has  
17 uncovered new facts supporting its First Cause of Action for Payment of Delinquent  
18 Contributions Found Due under ERISA;

19 WHEREAS the Parties are each respectively investigating such facts and exchanging  
20 information informally in an attempt to progress settlement discussions;

21 WHEREAS the Parties have once previously been granted an extension of time in which  
22 to hold the Case Management Conference, originally scheduled for October 3, 2013, as the  
23 parties worked together to progress the case informally;

24 WHEREAS the Parties submit that good cause exists for this brief continuance in that a  
25 continuance will minimize attorneys' fees and costs and court resources in the interim as the  
26 Parties attempt to resolve the instant matter;

27  
28 Stipulation and [Proposed] Order Granting Continuance of Case Management Conference

1 NOW THEREFORE, it is hereby stipulated that the parties jointly request that this Court  
2 issue an Order Continuing the Case Management Conference currently scheduled for November  
3 14, 2013 at 10:00 a.m. in Courtroom B, to January 7, 2014 or any date thereafter as the court sees  
4 fit.

5 **IT IS SO STIPULATED.**

6 Dated: November 5, 2013

SALTZMAN & JOHNSON LAW CORP.

7 By: 

8 Kimberly Anne Hancock  
9 Attorneys for Plaintiffs SERVICE  
10 EMPLOYEES INTERNATIONAL  
11 UNION NATIONAL INDUSTRY  
12 PENSION FUND, et al

13 Dated: November 4, 2013

HAIGHT BROWN & BONESTEEL LLP

14 By: 

15 Steven M. Cvitanovic  
16 Jessica M. Lassere  
17 Attorneys for Defendants GCA  
18 SERVICES GROUP, INC., a Delaware  
19 corporation; and ACME BUILDING  
20 MAINTENANCE CO., INC., a  
21 California corporation  
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1 ~~PROPOSED~~ ORDER

2 After consideration of the above Stipulation, and for good cause shown, it is hereby  
3 ORDERED, ADJUDGED AND DECREED:

4 That the parties requested continuance is granted and the initial Case Management  
5 Conference hearing date be continued from November 14, 2013 to January <sup>16</sup>~~7~~, 2014. It is  
6 furthermore ordered that all related Rule 16 and Rule 26 deadlines are likewise continued in  
7 accordance with the new hearing date.

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9  
10 Dated: 11/7/2013

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12 \_\_\_\_\_  
13 Judge, United States District Court  
14 Northern District of California