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a California corporation, JIM R. SCIARRONI, Individually  
and in his capacity as Trustee of JIM R. and ELAINE  
SCIARRONI REVOCABLE LIVING TRUST dated  
August 25, 1999, as amended, and ELAINE M. SCIARRONI,  
Individually and in the capacity of Trustee of JIM R. & ELAINE  
SCIARRONI REVOCABLE LIVING TRUST dated  
August 25, 1999, as amended

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AUTOMOTIVE INDUSTRIES PENSION  
TRUST FUND, JAMES H. BENO, Trustee,  
BILL BRUNELLI, Trustee, STEPHEN J.  
MACK, Trustee, JOSE SANTANA, Trustee,  
DON CROSATTO, Trustee, MARK  
HOLLIBUSH, Trustee, DOUGLAS  
CORNFORD, Trustee, JON ROSSELLE,  
Trustee, and JAMES V. CANTERBURY,  
Trustee,

Plaintiffs,

vs.

SCIARRONI AUTO BODY, INC., a  
California corporation,

Defendant.

Case No. CV 13 5208 RS

ACTION FILED: November 8, 2013

**STIPULATION AND [PROPOSED]  
ORDER FOR:**

- 1. EXTENSION OF TIME FOR DEFENDANTS TO FILE RESPONSIVE PLEADINGS TO COMPLAINTS; AND**
- 2. TO PROCEED TO MEDIATION**

AUTOMOTIVE INDUSTRIES PENSION  
TRUST FUND, JAMES H. BENO, Trustee,  
BILL BRUNELLI, Trustee, STEPHEN J.  
MACK, Trustee, JOSE SANTANA, Trustee,  
DON CROSATTO, Trustee, MARK  
HOLLIBUSH, Trustee, DOUGLAS

Case No.: CV 13 5210 RS

ACTION FILED: November 8, 2013

STIPULATION AND [PROPOSED] ORDER FOR:  
EXTENSION OF TIME TO FILE RESPONSIVE PLEADINGS  
AND TO PROCEED TO MEDIATION

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Case Nos. CV13-5208 RS, CIV13-5210 RS

1 CORNFORD, Trustee, JON ROSSELLE,  
2 Trustee, and JAMES V. CANTERBURY,  
Trustee,

3 Plaintiffs,

4 vs.

5 SCIARRONI AUTO BODY, INC., a  
6 California corporation, JIM R. SCIARRONI,  
Individually and in his capacity as Trustee of  
7 JIM R. and ELAINE SCIARRONI  
REVOCABLE LIVING TRUST dated August  
8 25, 1999, as amended, and ELAINE M.  
9 SCIARRONI, Individually and in the capacity  
of Trustee of JIM R. & ELAINE SCIARRONI  
10 REVOCABLE LIVING TRUST dated August  
25, 1999, as amended, and DOES 1-10,  
11

12 Defendants.  
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16 Pursuant to Local Rule 6-1(b) and 6-2 of the Local Rules for the Northern District of  
17 California, IT IS HEREBY STIPULATED by plaintiffs AUTOMOTIVE INDUSTRIES  
18 PENSION TRUST FUND, JAMES H. BENO, Trustee, BILL BRUNELLI, Trustee, STEPHEN  
19 J. MACK, Trustee, JOSE SANTANA, Trustee, DON CROSATTO, Trustee, MARK  
20 HOLLIBUSH, Trustee, DOUGLAS CORNFORD, Trustee, JON ROSSELLE, Trustee, and  
21 JAMES V. CANTERBURY, Trustee (collectively "Plaintiffs") and defendants SCIARRONI  
22 AUTO BODY, INC. a California corporation, JIM R. SCIARRONI, Individually and in his  
23 capacity as Trustee of JIM R. and ELAINE SCIARRONI REVOCABLE LIVING TRUST dated  
24 August 25, 1999, as amended, and ELAINE M. SCIARRONI, Individually and in the capacity of  
25 Trustee of JIM R. & ELAINE SCIARRONI REVOCABLE LIVING TRUST dated August 25,  
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28 STIPULATION AND [PROPOSED] ORDER FOR:  
EXTENSION OF TIME TO FILE RESPONSIVE PLEADINGS  
AND TO PROCEED TO MEDIATION

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Case Nos. CV13-5208 RS, CIV13-5210 RS

1 1999, as amended, (collectively, "Defendants"), by and through their counsel, stipulate as  
2 follows:

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4 **RECITALS**

5 WHEREAS, Plaintiffs filed two complaints on November 3, 2013, case numbers CV-13-  
6 5208-JCS and CV-13-5210-MEJ;

7 WHEREAS, on November 18, 2013, the Court, upon Plaintiffs' request to relate the  
8 complaints, ordered them related and reassigned to Hon. Joseph C. Spero;

9 WHEREAS, on December 3, 2013, Defendants filed a Declination to Proceed Before a  
10 Magistrate Judge and Request for Reassignment to a United States District Judge;

11 WHEREAS, on December 5, 2013, the related cases were reassigned to Hon. Richard  
12 Seeborg under the case names CV 13-05208 RS and CV 13-05210 RS;

13 WHEREAS, as of December 5, 2013, the Case Management Conference was moved from  
14 February 7, 2014 to February 13, 2014 as a result of the Order for Reassignment;

15 WHEREAS, to allow the Parties to proceed to mediation, the Parties agree to extend the  
16 deadline for Defendants' responsive pleadings, but such agreement does not preclude an earlier  
17 response;

18 WHEREAS, the Parties agree to complete mediation within 90 days of date of the entry of  
19 this Order on Stipulation;

20 WHEREAS, the Parties request the Court continue the Case Management Conference,  
21 currently set for February 13, 2014, until a later date as convenient with the Court;

22 WHEREAS, the Parties agree to advise the Court of the results of mediation to allow the  
23 Court to set a Case Management Conference, if needed;

24 WHEREAS, any non-settling Defendants, in whole or in part, will file a response, if not yet  
25 filed, to the Complaints 20 days after completion of the mediation.

26 ///

1 **STIPULATION**

2 The Parties stipulate as follows:

- 3 1. To allow the Parties to proceed to mediation, the Parties agree to extend the deadline  
4 for Defendants' responsive pleadings, but such agreement does not preclude an earlier  
5 response;
- 6 2. The Parties agree to complete mediation within 90 days of date of the entry of this  
7 Order on Stipulation;
- 8 3. The Parties request the Court continue the Case Management Conference, currently  
9 set for February 13, 2014, until a later date as convenient with the Court;
- 10 4. The Parties agree to advise the Court of the results of mediation to allow the Court to  
11 set a Case Management Conference, if needed;
- 12 5. Any non-settling Defendants, in whole or in part, will file a response, if not yet filed,  
13 to the complaints 20 days after completion of the mediation.

14  
15 DATED: Dec. 30, 2013

**KAUFMAN DOLOWICH & VOLUCK, LLP**

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18 Hsiao C. (Mark) Mao

Tad A. Devlin

19 Attorneys for SCIARRONI AUTO BODY, INC.  
20 a California corporation, JIM R. SCIARRONI,  
21 Individually and in his capacity as Trustee of JIM  
22 R. and ELAINE SCIARRONI REVOCABLE  
23 LIVING TRUST dated August 25, 1999, as  
24 amended, and ELAINE M. SCIARRONI,  
25 Individually and in the capacity of Trustee of JIM  
26 R. & ELAINE SCIARRONI REVOCABLE  
27 LIVING TRUST dated August 25, 1999, as  
28 amended

1 DATED: 12/30/13

**SALTZMAN & JOHNSON LAW  
CORPORATION**

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3  
4 /s/ Kimberly A. Hancock  
5 Kimberly A. Hancock  
6 Attorneys for Plaintiffs  
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28 STIPULATION AND [PROPOSED] ORDER FOR:  
EXTENSION OF TIME TO FILE RESPONSIVE PLEADINGS  
AND TO PROCEED TO MEDIATION

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Case Nos. CV13-5208 RS, CIV13-5210 RS

1 ORDER

2 Pursuant to the above Stipulation, IT IS HEREBY ORDERED as follows:

- 3 1. That the Parties agree to court-sponsored mediation within 90 days of the date of entry of  
4 this order;
- 5 2. That any non-settling Defendants shall file responsive pleadings within 20 days of the  
6 completion of court-sponsored mediation;
- 7 3. The Case Management Conference date is continued from February 13, 2014 to a later  
8 date as convenient with the Court, and the Parties will advise the Court of the court-  
9 sponsored mediation so as to set a new date for Case Management Conference.

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11 IT IS SO ORDERED.

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13 Dated: 1/7/14



14 Hon. Richard Seeborg

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18 4820-3484-2134, v. 3