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17 Attorneys for Defendant/Counterclaimant
 Bay Area Balancing & Cleanroom, Inc.
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19 IN THE UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA

21 BOARD OF TRUSTEES OF SHEET
 METAL WORKERS LOCAL 104 HEALTH
 22 CARE PLAN, *et al.*,
 23 Plaintiffs,
 24 vs.
 25 BAY AREA BALANCING AND
 CLEANROOMS, INC.,
 26 Defendant.
 27

CASE NO. 3:14-cv-01739-HSG

**STIPULATION FOR EXTENSION OF TIME
 TO RESPOND TO COUNTERCLAIM AND
 REQUESTING COURT TO VACATE
 MEDIATION DEADLINE; ORDER**

Complaint Filed: April 14, 2014
 Trial Date: Not Yet Set

1 WHEREAS on February 4, 2015, the Court set a deadline of May 5, 2015 for the parties to
2 engage in mediation in this action (Dkt. 29);

3 WHEREAS the case was reassigned to this Court on February 13, 2015, and a Case
4 Management Conference was scheduled for May 19, 2015 (Dkt. 39);

5 WHEREAS Defendant Bay Area Balancing & Cleanroom, Inc. (“Defendant”) substituted
6 counsel in this action, effective April 1, 2015 (Dkt. 42);

7 WHEREAS Defendant filed a counterclaim against Plaintiff Sheet Metal Workers’
8 International Association, Local Union No. 104 (“Local 104”) on April 1, 2015 (Dkt. 43);

9 WHEREAS under Fed. R. Civ. P. 12(a)(1)(B), Local 104’s answer or other responsive
10 pleading to the Counterclaim would be due on April 22, 2015;

11 WHEREAS Plaintiff/Counterclaim Defendant Local 104 has substituted counsel in this
12 action, effective April 15, 2015 (Dkt. 44);

13 WHEREAS in light of these significant changes in the case since it was ordered to
14 mediation, the parties believe it would not be productive to proceed to mediation at this time;

15 The parties hereby stipulate as follows:

16 1. The deadline for Local 104 to file an answer or other responsive pleading to the
17 Counterclaim is extended to May 13, 2015.

18 2. The parties jointly ask the Court to vacate the May 5, 2015 deadline for engaging in
19 mediation.

20 3. The parties will address the issue of mediation in the Case Management Conference
21 scheduled for May 19, 2015 and in their joint Case Management Conference statement.

22
23 Dated: April 17, 2015

ALTSHULER BERZON LLP

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25 By: /s/ Eileen B. Goldsmith
Eileen B. Goldsmith

26 Attorneys for Plaintiff/Counterclaim Defendant Sheet
27 Metal Workers’ International Association, Local
28 Union No. 104

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Dated: April 17, 2015

SALTZMAN & JOHNSON

By: /s/ Michele Stafford
Michele Stafford

Attorneys for Plaintiffs Board of Trustees of
Sheet Metal Workers Local 104 Health
Care Plan, et al.

Dated: April 17, 2015

JOSEPH W. MCCARTHY, A LAW
CORPORATION


By: /s/ Joseph W. McCarthy
Joseph W. McCarthy

Attorneys for Defendant/Counterclaimant
Bay Area Balancing & Cleanroom, Inc.

ORDER

IT IS SO ORDERED.

Dated: April 21, 2015


HON. HAYWOOD S. GILLIAM, JR.
United States District Judge

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SIGNATURE ATTESTATION

“I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/S/) within this e-filed document.”

/s/ Eileen B. Goldsmith
Eileen B. Goldsmith