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14 UNITED STATES DISTRICT COURT
 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 DISTRICT COUNCIL 16 NORTHERN
 CALIFORNIA HEALTH AND WELFARE
 18 TRUST FUND, et al.,

19 Plaintiffs,

20 v.

21 JMW CARPET AND FLOORING, INC., et al.,

22 Defendants.

Case No.: C14-5029 JST

**STIPULATION TO CONTINUE
 MEDIATION DEADLINE; ~~PROPOSED~~
 ORDER THEREON**

Judge: The Honorable Jon S. Tigar

24 The parties in the above-titled action respectfully request that the mediation deadline,
 25 currently scheduled for July 29, 2015, be continued for approximately sixty (60) days. Good cause
 26 exists for the granting of a continuance, as follows:

- 27 1. As the Court’s records will reflect, this action was filed on November 13, 2014 to
 28 compel Defendants to comply with the terms of their Collective Bargaining Agreement.

1 2. Defendant JMW Carpet and Flooring, Inc., a California Corporation, was served
2 with the Complaint by substitute service on December 18, 2014, with a December 19, 2014
3 mailing deeming service effective on December 29, 2014. Defendant Joe Hy Wang, individually
4 and *dba* J W Carpet & Flooring *aka* Joe Wang Carpet and Flooring, was served with the
5 Complaint by substitute service on December 15, 2014, with a December 17, 2014 mailing
6 deeming service effective on December 27, 2014.

7 3. Plaintiffs filed a Proof of Service of Summons with the Court on January 9, 2015.

8 4. Plaintiffs agreed to give Defendants an extension to January 31, 2015 to file
9 responsive pleadings to the Complaint.

10 5. Defendants retained counsel and filed an Answer on January 30, 2015.

11 6. On April 29, 2015, the parties filed a Stipulation agreeing to participate in
12 mediation. On April 30, 2015, the Court issued an Order referring this matter to mediation, and
13 setting a mediation deadline of July 29, 2015.

14 7. On May 28, 2015, the Court issued a Notice appointing Robert Pohls as mediator.

15 8. The parties scheduled an initial telephone conference with Mr. Pohls for June 17,
16 2015. However, on June 16, 2015, Plaintiffs' auditors finalized the audit report and it became
17 available for Defendants' review so the parties agreed to continue the telephone conference so that
18 Defendants had time to review and comment on the audit report.

19 9. The parties have been in communication regarding the audit findings and are
20 working toward an informal resolution.

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1 10. In the interest of conserving costs, as well as the Court's time and resources, the
2 parties respectfully request that the mediation deadline, currently scheduled for July 29, 2015, be
3 continued for approximately sixty (60) days to allow sufficient time for the parties to work toward
4 an informal resolution of this matter.

5 Dated: July 23, 2015

**SALTZMAN & JOHNSON
LAW CORPORATION**

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7 By: _____ /S/
Erica J. Russell
8 Attorneys for Plaintiffs

9 Dated: July 23, 2015

**SIMPSON GARRITY INNES &
JACUZZI, A PROFESSIONAL
CORPORATION**

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11 By: _____ /S/
12 Paul V. Simpson
13 Attorneys for Defendants

14 IT IS SO ORDERED.

15 Based on the foregoing, and GOOD CAUSE APPEARING, the currently set mediation
16 deadline is hereby continued to Sept. 25, 2015, and all related deadlines are extended
17 accordingly.

18 Date: July 23, 2015



19 THE HONORABLE JON S. TIGAR
20 UNITED STATES DISTRICT COURT
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ATTESTATION CERTIFICATE

In accord with the Northern District of California’s General Order No. 45, Section X(B), I attest that concurrence in the filing of this document has been obtained from each of the other signatories who are listed on the signature page.

Dated: July 23, 2015

By: _____/S/
Erica J. Russell
Attorneys for Plaintiffs