

1 LINDA BALDWIN JONES, Bar No. 178922
2 TRACY L. MAINGUY, Bar No. 176928
3 WEINBERG, ROGER & ROSENFELD
4 A Professional Corporation
5 1001 Marina Village Parkway, Suite 200
6 Alameda, California 94501
7 Telephone (510) 337-1001
8 Fax (510) 337-1023
9 E-Mail: lbjones@unioncounsel.net
10 tmainguy@unioncounsel.net

11 Attorneys for Defendants Stationary Engineers Local 39 Health and
12 Welfare Trust Fund, Stationary Engineers Local 39 Pension Trust
13 Fund and Stationary Engineers Local 39 Annuity Trust Fund

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 ALEUT FACILITIES SUPPORT
17 SERVICES, LLC,

18 Plaintiff,

19 v.

20 STATIONARY ENGINEERS LOCAL 39,
21 STATIONARY ENGINEERS LOCAL 39
22 HEALTH AND WELFARE TRUST
23 FUND, STATIONARY ENGINEERS
24 LOCAL 39 PENSION TRUST FUND and
25 STATIONARY ENGINEERS LOCAL 39
26 ANNUITY TRUST FUND,

27 Defendants.

No. 3:15-CV-03348-WHO

**NOTICE OF TENTATIVE SETTLEMENT;
STIPULATION AND REQUEST TO STAY
PROCEEDINGS, ENLARGE TIME FOR
FILING A RESPONSE TO COMPLAINT
AND VACATE CASE MANAGEMENT
CONFERENCE; ORDER**

28 Plaintiff Aleut Facilities Support Services, LLC (“Plaintiff”); Defendants Stationary
Engineers Local 39 Health and Welfare Trust Fund, Stationary Engineers Local 39 Pension Trust
Fund and Stationary Engineers Local 39 Annuity Trust Fund (hereinafter collectively
“Defendants Trust Funds”) and Defendant Stationary Engineers Local 39 (“Defendant Union”),
by and through their respective counsel of record, hereby notify the Court that Plaintiff and
Defendants Union and Trust Funds have reached a tentative settlement in the above-captioned
case which is contingent upon further settlement discussions, scheduled to occur within the next
sixty (60) days. The Plaintiff and Defendants Trust Funds continued their arbitration hearing to

1 December 1, 2015. Likewise, the Union and Plaintiff agreed to continue their arbitration before
2 Arbitrator Brogan to February 22, 2016.

3 In light of the above, all Parties stipulate to stay the above-captioned matter for ninety
4 (90) days to further discuss and finalize their respective settlement agreements. All Parties
5 therefore respectfully request that the Court stay this matter for ninety (90) days until December
6 24, 2015. Additionally, all Parties stipulate and respectfully request that: the due date for
7 Defendants Trust Funds to respond to the Complaint be December 28, 2015; the due date for
8 Defendant Union to respond to the Complaint be January 11, 2016; and the Case Management
9 Conference currently scheduled for November 3, 2015 be taken off the Court's calendar.

10 Dated: September 25, 2015

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

11 By: /s/ Linda Baldwin Jones

LINDA BALDWIN JONES

Attorneys for Defendants

12 Stationary Engineers Local 39 Health and
13 Welfare Trust Fund, Stationary Engineers
14 Local 39 Pension Trust Fund and Stationary
15 Engineers Local 39 Annuity Trust Fund

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

19 Dated: September 25, 2015

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

20 By: /s/ Antonio Ruiz

ANTONIO RUIZ

Attorneys for Defendant

21 Stationary Engineers Local 39

22 Dated: September 25, 2015

LITTLER MENDELSON
A Professional Corporation

23 By: /s/ Richard N. Hill

RICHARD N. HILL

Attorneys for Plaintiff

24 Aleut Facilities Support Services, LLC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

The Court has been notified that the that Plaintiff and Defendants Union and Trust Funds have reached a tentative settlement in the above-captioned case which is contingent upon further settlement discussions, scheduled to occur within the next sixty (60) days. In light of the prospect of settlement and based upon the Stipulation of all Parties, the Court stays the above-captioned matter for a period of ninety (90) days until December 24, 2015 to allow the parties to formalize their settlement. Additionally, the time for Defendants Trust Funds to respond to the Complaint in this matter is enlarged from September 29, 2015 until December 28, 2015; the time for Defendant Union to respond to the Complaint in this matter is enlarged from October 13, 2015 until January 11, 2016; and the Case Management Conference currently scheduled for November 3, 2015 at 2:00 p.m. **shall be continued until January 19, 2016 at 2:00 p.m.**

IT IS SO ORDERED.

Dated: September 28, 2015



HONORABLE WILLIAM H. ORRICK
United States District Court Judge

139113\831509