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12 NORTHERN CALIFORNIA ELECTRICAL  
13 WORKERS PENSION PLAN and BOARD  
14 OF TRUSTEES OF THE NORTHERN  
15 CALIFORNIA ELECTRICAL WORKERS  
16 PENSION TRUST

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 JOHN J. O'ROURKE,

21 Plaintiff,

22 vs.

23 NORTHERN CALIFORNIA ELECTRICAL  
24 WORKERS PENSION PLAN and BOARD  
25 OF TRUSTEES OF THE NORTHERN  
26 CALIFORNIA ELECTRICAL WORKERS  
27 PENSION TRUST,

28 Defendants.

Case No. 16-cv-02007-WHO

**STIPULATION AND ORDER TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE**

Defendants NORTHERN CALIFORNIA ELECTRICAL WORKERS PENSION PLAN (“Plan”) and BOARD OF TRUSTEES OF THE NORTHERN CALIFORNIA ELECTRICAL WORKERS PENSION TRUST (“Board”) (collectively, “Defendants”) and Plaintiff JOHN J. O’ROURKE (“Plaintiff”), hereby stipulate, by and through their respective counsel and subject to the Court’s approval, to continue the date of the case management conference and, in support therefor, state as follows:

WHEREAS, the case management conference is currently scheduled for December 13, 2016 at 2:00 p.m. (ECF No. 25), with a joint case management statement due December 6, 2016;

1 WHEREAS, the parties filed cross-motions for summary judgment and the Court held the  
2 hearing on the cross-motions on November 9, 2016;

3 WHEREAS, the Court took the parties' cross-motions for summary judgment under  
4 submission (ECF No. 37) and the Court has not yet issued a written order;

5 WHEREAS, the decision on the cross-motions may obviate the need for a further case  
6 management conference and, therefore, the case management conference date should be postponed  
7 until after the Court issues an order on the cross-motions;

8 WHEREAS, the parties previously requested and received a two-week continuance of the  
9 summary judgment hearing date and further case management conference (ECF No. 25);

10 WHEREAS, there are no other Court dates in the case that are affected by a continuance of  
11 the case management conference and of the deadline for the joint case management statement; and

12 NOW, THEREFORE, Plaintiff and Defendants hereby stipulate and agree as follows:

13 The case management conference currently set for December 13, 2016, shall be vacated. If  
14 a further case management conference is required following the Court's order on the parties' cross-  
15 motions for summary judgment, the date for the further case management conference shall be set in  
16 the order, with the joint case management statement to be due seven (7) days before the further case  
17 management conference.

18 IT IS SO STIPULATED.

19 DATED: November 30, 2016 TRUCKER ♦ HUSS

20  
21 By: /s/Clarissa A. Kang  
22 Clarissa A. Kang  
23 Attorneys for Defendant  
24 NORTHERN CALIFORNIA ELECTRICAL  
WORKERS PENSION PLAN and BOARD OF  
TRUSTEES OF THE NORTHERN CALIFORNIA  
ELECTRICAL WORKERS PENSION TRUST

25 DATED: November 30, 2016 RENAKER HASSELMAN SCOTT LLP

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27 By /s/Teresa S. Renaker  
28 Teresa S. Renaker  
Attorneys for Plaintiff  
JOHN J. O'ROURKE

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**SIGNATURE ATTESTATION**

I, Clarissa A. Kang, hereby attest that the concurrence in the filing of the document has been obtained from the other signatory on this document.

DATED: November 30, 2016 /s/Clarissa A. Kang  
Clarissa A. Kang

**ORDER**

Pursuant to the Parties' Stipulation, the case management conference currently scheduled for December 13, 2016 at 2:00 p.m. is hereby vacated, with a further case management conference to be set, if necessary, in the order on the parties' cross-motions for summary judgment..

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: December 1, 2016 W. H. Orrick  
Honorable William H. Orrick  
Judge, United States District Court