

1 SEYFARTH SHAW LLP  
 Kathleen Cahill Slaughter (SBN 168129)  
 2 E-mail: kslaught@seyfarth.com  
 Michelle Scannell (SBN 267767)  
 3 E-mail: mscannell@seyfarth.com  
 560 Mission Street, 31st Floor  
 4 San Francisco, California 94105  
 Telephone: (415) 397-2823  
 5 Facsimile: (415) 397-8549

6 FRANCZEK RADELET  
 William R. Pokorny (*pro hac vice*)  
 7 Daniel R. Salemi (*pro hac vice*)  
 300 S. Wacker Drive, Suite 3400  
 8 Chicago IL 60606  
 Telephone: (312) 786-6141  
 9 Facsimile: (312) 986-9192

10 Attorneys for Defendant  
 SCHNEIDER ELECTRIC BUILDINGS AMERICAS, INC.

11  
 12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14

15 BOARD OF TRUSTEES OF THE SHEET  
 16 METAL WORKERS LOCAL 104 HEALTH  
 CARE TRUST;  
 17 SHEET METAL WORKERS PENSION TRUST  
 18 OF NORTHERN CALIFORNIA;  
 19 SHEET METAL WORKERS LOCAL 104  
 SUPPLEMENTAL PENSION FUND;  
 20 SHEET METAL WORKERS LOCAL 104  
 21 VACATION-HOLIDAY SAVINGS FUND;  
 22 SHEET METAL WORKERS LOCAL 104 AND  
 BAY AREA INDUSTRY TRAINING FUND;  
 23 RICK WERNER, TRUSTEE; and  
 24 SHEET METAL WORKERS INTERNATIONAL  
 ASSOCIATION LOCAL UNION 104,

25 Plaintiffs,

26 v.  
 27  
 28

Case No. 3:17-cv-02567-RS

**STIPULATED REQUEST AND  
~~PROPOSED~~ ORDER TO EXTEND  
 DEADLINE TO SELECT ADR PROCESS  
 OR FILE NOTICE OF NEED FOR ADR  
 PHONE CONFERENCE**

Complaint Filed: May 4, 2017

---

STIPULATED REQUEST AND [PROPOSED] ORDER TO EXTEND DEADLINE TO SELECT ADR PROCESS OR  
 FILE NOTICE OF NEED FOR ADR PHONE CONFERENCE

1 SCHNEIDER ELECTRIC BUILDINGS  
2 AMERICAS, INC., a Delaware corporation.,  
3  
4 Defendant.

5 Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, and ADR Local Rule 3-5, Plaintiffs  
6 BOARD OF TRUSTEES OF THE SHEET METAL WORKERS LOCAL 104 HEALTH CARE  
7 TRUST; SHEET METAL WORKERS PENSION TRUST OF NORTHERN CALIFORNIA; SHEET  
8 METAL WORKERS LOCAL 104 SUPPLEMENTAL PENSION FUND; SHEET METAL  
9 WORKERS LOCAL 104 VACATION-HOLIDAY SAVINGS FUND; SHEET METAL WORKERS  
10 LOCAL 104 AND BAY AREA INDUSTRY TRAINING FUND; RICK WERNER, TRUSTEE; and  
11 SHEET METAL WORKERS INTERNATIONAL ASSOCIATION LOCAL UNION 104,  
12 (collectively, "Plaintiffs") and Defendant SCHNEIDER ELECTRIC BUILDINGS AMERICAS, INC.  
13 ("Defendant") (collectively, "the Parties"), by and through their counsel, HEREBY STIPULATE AND  
14 AGREE AS FOLLOWS:

15 WHEREAS, October 5, 2017 is the current deadline for the Parties to file a stipulation selecting  
16 an ADR process, or the notice of a need for an ADR phone conference.

17 WHEREAS, the Parties continue to consider whether this case may be resolved without the  
18 need for further litigation, and whether and to what extent the Parties intend to utilize an ADR  
19 procedure if litigation proceeds; and

20 WHEREAS, on August 23, 2017, the Parties filed a Stipulation confirming that the deadline for  
21 Defendant to respond to the Complaint was extended to October 16, 2017, and requesting that the  
22 Court continue the Case Management Conference and all other deadlines triggered by the Case  
23 Management Conference. On August 24, 2017, the Court ordered that the CMC was continued to  
24 October 26, 2017.

25 //

26 //

27 //

28 //

1           NOW THEREFORE, the Parties respectfully request that the Court grant a 60-day extension for  
2 the Parties’ deadline to select an ADR process or file a notice of need for an ADR phone conference,  
3 thereby continuing the deadline from October 5, 2017 to December 5, 2017.

4           IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

5 DATED: October 5, 2017

Respectfully submitted,

6 SEYFARTH SHAW LLP

7  
8 By: \_\_\_\_\_ /s/ Kathleen Cahill Slaughter  
9 Kathleen Cahill Slaughter  
Michelle Scannell

10 Attorneys for Defendant  
11 SCHNEIDER ELECTRIC BUILDINGS AMERICAS, INC.

12 DATED: October 5, 2017

Respectfully submitted,

13 SALTZMAN & JOHNSON LAW CORPORATION

14  
15 By: \_\_\_\_\_ /s/ Michelle R. Stafford  
16 Michele R. Stafford  
Matthew P. Minser

17 Attorneys for Plaintiffs  
18 BOARD OF TRUSTEES OF THE SHEET METAL  
19 WORKERS LOCAL 104 HEALTH CARE TRUST;  
20 SHEET METAL WORKERS PENSION TRUST OF  
21 NORTHERN CALIFORNIA; SHEET METAL WORKERS  
22 LOCAL 104 SUPPLEMENTAL PENSION FUND; SHEET  
23 METAL WORKERS LOCAL 104 VACATION-  
24 HOLIDAY SAVINGS FUND; SHEET METAL  
25 WORKERS LOCAL 104 AND BAY AREA INDUSTRY  
26 TRAINING FUND; RICK WERNER, TRUSTEE; and  
27 SHEET METAL WORKERS INTERNATIONAL  
28 ASSOCIATION LOCAL UNION 104

1 **SIGNATURE ATTESTATION**

2 The filer of this stipulation, Kathleen Cahill Slaughter, attests that concurrence in the filing of this  
3 document has been obtained from counsel for Plaintiffs.

4 DATED: October 5, 2017

SEYFARTH SHAW LLP

6 By:                   /s/ Kathleen Cahill Slaughter                  

7 Kathleen Cahill Slaughter  
Michelle Scannell

8 Attorneys for Defendant  
9 SCHNEIDER ELECTRIC BUILDINGS  
10 AMERICAS, INC.

11  
12  
13 **~~PROPOSED~~ ORDER**

14 **PURSUANT TO STIPULATION, IT IS SO ORDERED**, that the Parties' deadline to select  
15 an ADR process or file a notice of need for an ADR phone conference is continued from October 5,  
16 2017 to December 5, 2017.

17  
18 DATED: 10/6/17



19 District Judge Richard Seeborg

20  
21  
22 40597933v.1