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5 AMTECK OF KENTUCKY, INC. and THE HASKELL COMPANY  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10

11 REYNALDO SALINAS, et al., )  
12 Plaintiffs, )

CASE NO. C 08-01463 PJH  
C 08-04939 PJH

13 vs. )

**STIPULATION OF COUNSEL  
RE: CONSOLIDATION OF  
CASES; ORDER**

14 AMTECK OF KENTUCKY, et al., )  
15 Defendants. )

**[F.R.C.P. 42]**

16 \_\_\_\_\_ )  
17 GERARDO SALINAS, et al., )  
18 Plaintiffs, )

19 vs. )

20 AMTECK OF TEXAS, et al., )  
21 Defendants. )  
22 \_\_\_\_\_ )

23 STIPULATION RE: CONSOLIDATION OF CASES; ORDER ON STIPULATION

24 The cases Reynaldo Salinas, et al. v. Amteck of Kentucky, et al., Case No. C 08-01463  
25 PJH, and Gerardo Salinas, et al. v. Amteck of Texas, et al., Case No. C 08-04939 PJH arise  
26 out of a single construction site accident which occurred on 6/16/06. The complaints in both

1 actions both pertain to the same accident; Case No. C 08-01463 PJH is a personal injury and  
2 wrongful death action resulting from the 6/16/06 accident while Case No. C 08-04939 PJH is  
3 a wrongful death action arising out of said accident. Pursuant to Local Rule 3-12, the cases  
4 have already been determined related cases pursuant to the Court's order dated January 8, 2009.

5 In the interests of justice and judicial economy, the parties hereby stipulate, pursuant to  
6 F.R.C.P. 42 and the authority of Devlin v. Transporation Communications Int'l. Union (2<sup>nd</sup> Cir.  
7 1999) 175 F.3d 121, 130 and In re: Air Crash Disaster at Florida Everglades on December 29,  
8 1972 (5<sup>th</sup> Cir. 1977) 549 F.2d 1006, 1013 to consolidate the above referenced cases for all  
9 purposes, including trial. The case Reynaldo Salinas, et al. v. Amteck of Kentucky, et al., Case  
10 No. C 08-01463 PJH, shall be designated as the lead case. The consolidated case number shall  
11 be Case No. C 08-01463 PJH.

12  
13 DATED: March 11, 2009

DIEPENBROCK & COTTER, LLP

14  
15 By: 

16 \_\_\_\_\_  
JOHN P. COTTER  
Attorneys for Defendants  
AMTECK OF KENTUCKY, INC. and THE  
HASKELL COMPANY

17  
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19  
20 DATED: March 11, 2009

DRYDEN, MARGOLES, SCHIMANECK & WERTZ


21  
22 By: 

23 \_\_\_\_\_  
FRANK SCHIMANECK  
DAN MAGUIRE  
SUSAN FOE  
Attorneys for Defendant  
SNORKEL INTERNATIONAL, INC.

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DATED: March \_\_, 2009

FARRAR & BALL

By:   
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WESLEY TODD BALL  
Attorneys for Plaintiffs  
REYNALDO SALINAS, JESSICA  
SALINAS, and ISABEL SALINAS

DATED: March 11, 2009

THE GARCIA-WILLIAMS LAW FIRM

By:   
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DAVID K. WILLIAMS  
Attorneys for Plaintiffs  
GERARDO and ALEJANDRA SALINAS

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ORDER

Based on the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the cases Reynaldo Salinas, et al. v. Amteck of Kentucky, et al., Case No. C 08-01463 PJH, and Gerardo Salinas, et al. v. Amteck of Texas, et al., Case No. C 08-04939 PJH are consolidated for all purposes, including trial. The case Reynaldo Salinas, et al. v. Amteck of Kentucky, et al., Case No. C 08-01463 PJH, shall be designated as the lead case. The consolidated case number shall be Case No. C 08-01463 PJH.

DATED: 3/20/09

PHYLLIS J. HAMILTON  
UNITED STATES DISTRICT COURT JUDGE  
NORTHERN DISTRICT OF CALIFORNIA



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