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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

OPERATING ENGINEERS'  
PENSION TRUST FUND; F.G.  
CROSTHWAITE and RUSSELL E.  
BURNS, as Trustees,

Plaintiffs,

v.

WESTERN POWER &  
EQUIPMENT CORP, an Oregon  
corporation; and WESTERN  
POWER & EQUIPMENT CORP, a  
Delaware corporation; ARIZONA  
PACIFIC MATERIALS, LLC, a  
Arizona limited liability company;  
CASE DEALER HOLDING  
COMPANY, LLC (f/k/a CNH  
DEALER HOLDING COMPANY,  
LLC) a Delaware limited liability  
company; CNH AMERICA, LLC, a  
Delaware limited liability company;  
and DOES 1-20,

Defendant.

Case No. CV 10-4460 BZ

**[PROPOSED] ORDER ON PARTIES'  
JOINT STIPULATION FOR  
EXTENSION OF TIME TO  
RESPOND TO COMPLAINT FOR  
DEFENDANTS CASE DEALER  
HOLDING COMPANY LLC AND  
CNH AMERICA LLC**

TO ALL PARTIES AND THE ATTORNEYS OF RECORD:

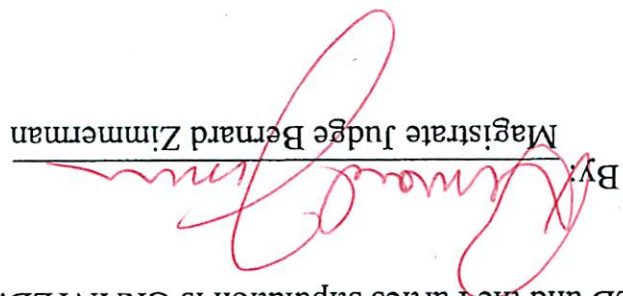
The Court having received and reviewed Defendants' and Plaintiffs' (the  
"Parties") joint stipulation for extension of time for Defendants CASE DEALER

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HOLDING COMPANY LLC and CNH AMERICA LLC ("CNH Defendants") to  
respond to the Complaint, in which CNH Defendants have requested until  
November 19, 2010 to prepare their appropriate responses and good cause  
appearing therefore, it is SO ORDERED and the Parties stipulation is GRANTED.

Dated: October 5, 2010

By:   
Magistrate Judge Bernard Zimmerman