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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, an  
Arizona limited liability company;  
ARIZONA PACIFIC MATERIALS  
II LLC, an Arizona limited liability  
company; CHARLES DEAN  
McLAIN, as an individual; ROBERT  
RUBIN, as an individual; RUBIN  
FAMILY IRREVOCABLE STOCK  
TRUST; 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

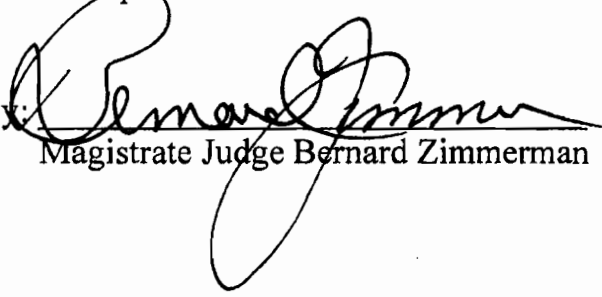
~~PROPOSED~~ ORDER ON PARTIES'  
JOINT STIPULATION FOR  
EXTENSION OF TIME TO  
RESPOND TO FIRST AMENDED  
COMPLAINT FOR DEFENDANTS  
CASE DEALER HOLDING  
COMPANY LLC AND CNH  
AMERICA LLC

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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 HOLDING COMPANY LLC and CNH AMERICA LLC ("CNH Defendants") to respond to the Complaint, in which CNH Defendants have requested until December 7, 2010 to prepare their appropriate responses and good cause appearing therefore, it is SO ORDERED and the Parties stipulation is GRANTED.

Dated: November 22, 2010

By:   
Magistrate Judge Bernard Zimmerman