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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 BOARD OF TRUSTEES OF THE
LABORERS HEALTH AND WELFARE
13 TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
14 THE LABORERS VACATION-HOLIDAY
TRUST FUND FOR NORTHERN
15 CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS PENSION TRUST FUND
16 FOR NORTHERN CALIFORNIA; and
BOARD OF TRUSTEES OF THE
17 LABORERS TRAINING AND RETRAINING
TRUST FUND FOR NORTHERN
18 CALIFORNIA,

19 Plaintiffs,

20 vs.

21 ALFREDO'S CONCRETE; a California
business entity, and ALFREDO GARCIA
22 ESQUIVEZ, an individual,

23 Defendants.
24

Case No.: CV 12-01607 SBA

**REQUEST TO DISMISS CASE
WITHOUT PREJUDICE; ORDER
THEREON**

25 Plaintiffs Laborers Trust Funds respectfully request that this Court dismiss this entire
26 action, without prejudice, on the following grounds.

27 On March 30, 2012, Plaintiffs Laborers Trust Funds filed their Complaint for Damages
28 for Breach of Collective Bargaining Agreement and for a Mandatory Injunction ("Complaint").

1 Pursuant to the Complaint, Plaintiffs Laborers Trust Funds sought an audit of the books and
2 records of Defendant Alfredo's Concrete.

3 Defendants Alfredo's Concrete and Alfredo Garcia Esquiviz (collectively,
4 "Defendants") did submit to the audit and no discrepancy was found; thus, the matter has been
5 resolved without the necessity of further litigation.

6 Based on the above, Plaintiffs respectfully request that this Court dismiss this entire
7 action, without prejudice.

8 DATED: June 19, 2012

9 BULLIVANT HOUSER BAILEY PC

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11 By /s/ Arlena V. Carrozzi
12 Ronald L. Richman
13 Susan J. Olson
14 Arlena V. Carrozzi

15 Attorneys for Plaintiffs

16 **ORDER**

17 Plaintiff Laborers Trust Funds having submitted its Request To Dismiss Case Without
18 Prejudice and good cause appearing:

19 IT IS HEREBY ORDERED that this case is dismissed, without prejudice.

20 DATED: June 20, 2012

21 By 
22 HON. SAUNDRA B. ARMSTRONG
23 UNITED STATES DISTRICT JUDGE

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