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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

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17 BOARD OF TRUSTEES OF THE
18 LABORERS HEALTH AND WELFARE
19 TRUST FUND FOR NORTHERN
20 CALIFORNIA; BOARD OF TRUSTEES OF
21 THE LABORERS VACATION-HOLIDAY
22 TRUST FUND FOR NORTHERN
23 CALIFORNIA; BOARD OF TRUSTEES OF
24 THE LABORERS PENSION TRUST FUND
25 FOR NORTHERN CALIFORNIA; and
26 BOARD OF TRUSTEES OF THE
27 LABORERS TRAINING AND RETRAINING
28 TRUST FUND FOR NORTHERN
CALIFORNIA,

Plaintiffs,

vs.

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

Defendants.

Case No.: CV 12-01607 SBA

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

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

31 On March 30, 2012, Plaintiffs Laborers Trust Funds filed their Complaint for Damages
32 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 Esquivel (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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By /s/ Arlena V. Carrozzi

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Ronald L. Richman
Susan J. Olson
Arlena V. Carrozzi

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Attorneys for Plaintiffs

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ORDER

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

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

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DATED: June 202012

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By

Saundra B. Armstrong
HON. SAUNDRA B. ARMSTRONG
UNITED STATES DISTRICT JUDGE

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