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6 ATTORNEYS FOR DEFENDANT

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 8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11

12 THE BOARD OF TRUSTEES, in their capacities  
 13 as Trustees of the LABORERS HEALTH AND  
 14 WELFARE TRUST FUND  
 15 FOR NORTHERN CALIFORNIA; LABORERS  
 16 VACATION-HOLIDAY TRUST FUND FOR  
 17 NORTHERN CALIFORNIA; LABORERS  
 18 PENSION TRUST FUND FOR NORTHERN  
 19 CALIFORNIA; and LABORERS TRAINING  
 20 AND RETRAINING TRUST FUND FOR  
 21 NORTHERN CALIFORNIA,

22 Plaintiffs,

23 v.

24 ALLEN L. BENDER, INC., a California  
 25 Corporation,

26 Defendant.

No. 4:13-cv-03297-SBA

STIPULATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE

27 Pursuant to Federal Rules of Civil Procedure 12, and Local Rule 6-1(a), Plaintiffs and  
 28 Defendant hereby stipulate to continue the initial Case Management Conference, currently set for  
 October 16, 2013, for 30 days to allow the Parties to reach an informal resolution of this matter.

Plaintiff filed the First Amended Complaint in this action on July 16, 2013, and Defendant

1 was served with the Complaint and Summons on July 24, 2013. Defendants filed an Answer to  
2 the Complaint on September 26, 2013. Since that time the parties have been attempting a  
3 resolution of this case and it is believed one can be reached by the 30<sup>th</sup> of October, 2013. Even if  
4 the Parties are not able to fully resolve this matter, further discussion should narrow the scope of  
5 issues remaining in this matter.

6  
7 The parties also agree that pursuant to Local Rule 6-1(a), this stipulation is respectfully  
8 submitted to the Court for approval without the necessity of a hearing.

9  
10  
11 DATED: October 11, 2013

12 GRAY AND THURN, INC.

13  
14 By: /s/ Robert F. Whitworth  
15 ROBERT F. WHITWORTH,  
16 Attorneys for ALLEN L. BENDER INC.

17 WEINBERG, RODGER AND ROSENFELD  
18 A Professional Corporation

19 By: /s/ Concepcion E. Lozano-Batista  
20 CONCEPCION E. LOZANO-BATISTA,  
21 Attorneys for Plaintiff

22 Approved by the Court the Case Management Conference is continued to **November 21, 2013**, at  
23 **3:00 p.m.** The parties shall **meet and confer** prior to the conference and shall prepare a joint  
24 Case Management Conference Statement which shall be filed no later than seven (7) days prior  
25 to the Case Management Conference that complies with the Standing Order For All Judges Of  
26 The Northern District Of California and the Standing Order of this Court. Plaintiffs shall be  
27 responsible for filing the statement as well as for arranging the conference call. All parties shall  
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1 be on the line and shall call (510) 637-3559 at the above indicated date and time.

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SAUNDRA BROWN ARMSTRONG  
United States District Judge

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