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11 Attorneys for Plaintiffs

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA

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

24 Plaintiffs,

25 v.

26 BROADWAY MECHANICAL -  
 27 CONTRACTORS, INC., a California  
 28 Corporation,

Defendant.

No. 4:14-CV-04668-JSW

**STIPULATION AND ~~PROPOSED~~  
 ORDER EXTENDING TIME FOR  
 DEFENDANTS' TO ANSWER  
 PLAINTIFF'S COMPLAINT;  
 REQUEST TO CONTINUE CASE  
 MANAGEMENT CONFERENCE**

Pursuant to Federal Rules of Civil Procedure 12, and Local Rule 6-1(a), Plaintiffs and Defendants hereby stipulate to extend the time within which Defendants have to answer or otherwise respond to Plaintiffs' Complaint.

1 Plaintiffs filed the Complaint in this action on October 20, 2014. The parties are currently  
2 attempting to resolve this matter. With this Stipulation, Defendants' deadline for answering and  
3 or otherwise responding to the Complaint is extended to March 16, 2015, to allow the parties  
4 additional time to attempt to resolve this matter.

5 Pursuant to Civil Local Rules 7-12 and 16-2, the parties also request that the Court  
6 continue the Case Management Conference currently scheduled for February 27, 2015 at 11:00  
7 am for 30 days. The parties also agree that pursuant to Local Rule 6-1(a), this stipulation is  
8 respectfully submitted to the Court for approval without the necessity of a hearing.

9 Dated: February 3, 2015

10 WEINBERG, ROGER & ROSENFELD  
11 A Professional Corporation

12 By: /s/ Concepcion E. Lozano-Batista  
13 CONCEPCION E. LOZANO-BATISTA,  
Attorneys for Plaintiffs

14 Dated: February 3, 2015

15 Kelly Litigation Group

16 By: /s/ Michael Mengarelli  
17 MICHAEL MENGARELLI,  
18 Attorney for Defendants

19 **[PROPOSED] ORDER**

20 It is so ordered that the Stipulations extending the time for Defendants to Answer  
21 Plaintiff's Complaint and continuing the February 27, 2015 Case Management Conference are  
22 entered in this matter, as set forth above. In addition, the Court orders:  
23 The Case Management Conference shall be rescheduled for March 27,  
24 2015, at 11:00 a.m.

25 Dated: February 4, 2015

26   
27 THE HONORABLE JEFFREY S. WHITE

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**PROOF OF SERVICE**

I am a citizen of the United States and resident of the State of California. I am employed in the County of Alameda, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years and not a party to the within action.

On February 4, 2015, I served the following documents in the manner described below:

**STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR DEFENDANTS' TO ANSWER PLAINTIFF'S COMPLAINT; REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE**

XX (BY U.S. MAIL) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing with the United States Parcel Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at Alameda, California.

On the following part(ies) in this action:

Michael R. Mengarelli, Esq. *Attorneys for Defendant*  
Kelly Litigation Group Inc  
3 Lagoon Drive, Suite 225  
Redwood City, CA 94065  
Phone: (650) 591-2282  
Fax: (650) 591-2292  
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on February 4, 2015, at Alameda, California.

/s/ Kimberly Love  
Kimberly Love