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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. On February 2, 2015, the parties met and reached a tentative
3 resolution of this case, which required Plaintiffs to complete a full audit of Defendant’s books and
4 records prior to finalizing the settlement. Plaintiffs are currently in the process of finalizing this
5 audit and anticipate that this matter will be resolved in the coming month. Plaintiffs and
6 Defendant request additional time to finalize the audit, review the audit results and come to a final
7 agreement on the settlement of this case.

8 With this Stipulation, Defendants’ deadline for answering and or otherwise responding to
9 the Complaint is extended to May 15, 2015, to allow the parties additional time to attempt to
10 resolve this matter.

11 Pursuant to Civil Local Rules 7-12 and 16-2, the parties also request that the Court
12 continue the Case Management Conference currently scheduled for March 27, 2015 at 11:00 am
13 for 60 days. The parties also agree that pursuant to Local Rule 6-1(a), this stipulation is
14 respectfully submitted to the Court for approval without the necessity of a hearing.

15 Dated: March 17, 2015

16 WEINBERG, ROGER & ROSENFELD
17 A Professional Corporation

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

20 Dated: March 17, 2015

21 Kelly Litigation Group

22 By: /s/ Michael Mengarelli
23 MICHAEL MENGARELLI,
24 Attorney for Defendants

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~~[PROPOSED]~~ ORDER

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

Dated: March 25, 2015



THE HONORABLE JEFFREY S. WHITE

136455/803462

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 March 24, 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**

✓ (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.

(BY OVERNIGHT MAIL) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for overnight delivery, and I caused such document(s) described herein to be deposited for delivery to a facility regularly maintained by United Parcel Service for overnight delivery.

(BY ELECTRONIC SERVICE) By electronically mailing a true and correct copy through Weinberg, Roger & Rosenfeld's electronic mail system from klove@unioncounsel.net to the email addresses set forth below.

On the following part(ies) in this action:

Michael R. Mengarelli, Esq. *Attorneys for Defendant*
Kelly Litigation Group Inc
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Redwood City, CA 94065
Phone: (650) 591-2282
Fax: (650) 591-2292
E-mail: mmengarelli@kellylitigationgroup.com

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 24, 2015, at Alameda, California.

/s/ Kimberly Love
Kimberly Love