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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  
 DEFENDANT TO ANSWER  
 PLAINTIFFS' COMPLAINT;  
 REQUEST TO CONTINUE CASE  
 MANAGEMENT CONFERENCE**

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

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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 have finalized the audit and forwarded the  
5 results to Defendant. Plaintiffs and Defendant have been in settlement negotiations over the audit  
6 results and the settlement of this case. Plaintiffs and Defendant are hopeful that the matter will be  
7 resolved in the coming month. Additionally, Plaintiffs' lead trial counsel, Concepción Lozano-  
8 Batista, will be out of town for the upcoming Case Management Conference. Thus, the parties  
9 would request that the Court continue the deadlines in this case to allow the parties to attempt to  
10 resolve this matter.

11 With this Stipulation, Defendant's deadline for answering and or otherwise responding to  
12 the Complaint is extended to August 31, 2015.

13 Pursuant to Civil Local Rules 7-12 and 16-2, the parties request that the Court continue  
14 the Case Management Conference currently scheduled for July 24, 2015 at 11:00 am for 45 days.  
15 The parties also agree that pursuant to Local Rule 6-1(a), this stipulation is respectfully submitted  
16 to the Court for approval without the necessity of a hearing.

17 Dated: July 17, 2015

18 WEINBERG, ROGER & ROSENFELD  
19 A Professional Corporation

20 By: /s/ Concepcion E. Lozano-Batista  
21 CONCEPCIÓN E. LOZANO-BATISTA,  
Attorneys for Plaintiffs

22 Dated: July 17, 2015

23 Kelly Litigation Group

24 By: /s/ Michael Mengarelli  
25 MICHAEL MENGARELLI,  
26 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 July 24, 2015 Case Management Conference are entered in this matter, as set forth above. In addition, the Court orders: the case management conference is continued to September 11, 2015 at 11:00 a.m.

Dated: July 20, 2015

  
THE HONORABLE JEFFREY S. WHITE

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