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28United States District Court
Northern District of CaliforniaUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**TRUSTEES OF THE U.A. LOCAL 38 DEFINED
BENEFIT PENSION PLAN,**

Plaintiff,

vs.

**TRUSTEES OF THE PLUMBERS AND PIPE
FITTERS NATIONAL PENSION FUND,**

Defendant.

Case No.: 15-cv-04703-YGR

**ORDER VACATING HEARING ON ORDER TO
SHOW CAUSE**


Re: Dkt. No. 28

On November 19, 2015, the Court issued an order to show cause why this case should not be stayed pending resolution of the appeal of the Court's decision in a related case currently before the Ninth Circuit, Appeal No. 14-16543 ("Ninth Circuit Appeal"). (Dkt. No. 28.) The parties having filed a joint statement regarding a stay (Dkt. No. 33), the hearing on the order to show cause currently set for December 18, 2015 is hereby **VACATED**.

The Court has considered the parties' joint statement and finds that a stay pending resolution of the Ninth Circuit Appeal is not warranted under the circumstances. A stay would not promote the timely and efficient resolution of the parties' dispute. *See* Federal Arbitration Act, 9 U.S.C. § 1, *et seq.* Protracting the litigation is especially unnecessary where, as here, plaintiff has not demonstrated that resolution of the Ninth Circuit Appeal will affect the disposition of the parties' cross-petitions before this Court. Accordingly, the Court declines to stay these proceedings.

IT IS SO ORDERED.

Dated: December 15, 2015



YVONNE GONZALEZ-ROGERS
UNITED STATES DISTRICT COURT JUDGE