

1 Harley L. Bjelland, State Bar No. 97428
 Alison L. Tsao, State Bar No. 198250
 2 Nancy G. Berner, State Bar No. 227142
 CARLTON DiSANTE & FREUDENBERGER LLP
 3 601 Montgomery Street
 Suite 350
 4 San Francisco, California 94111
 Telephone: (415) 981-3233
 5 Facsimile: (415) 981-3246
 E-Mail: hbjelland@cdflaborlaw.com
 6 atsao@cdflaborlaw.com
 nberner@cdflaborlaw.com



7 Attorneys for Defendant
 8 ACTION ELECTRIC CORPORATION

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 (SAN JOSE DIVISION)

<p>12 ORANGE COUNTY ELECTRICAL) INDUSTRY HEALTH AND WELFARE) 13 TRUST FUND; LOCAL UNION NO. 441 OF) THE INTERNATIONAL BROTHERHOOD OF) 14 ELECTRICAL WORKERS; and DOUGLAS) CHAPPELL, as Trustee of the above TRUST) 15 FUND,)</p>	<p>Case No. CV11-00575 EJD Judge Edward J. Davila</p>
<p>16 Plaintiffs,) vs.) 17 ACTION ELECTRIC CORPORATION, a) 18 California Corporation,) 19 Defendant.)</p>	<p>STIPULATION TO REQUEST SETTING CASE MANAGEMENT CONFERENCE IN 90 DAYS; PROPOSED ORDER Action Filed: February 8, 2011</p>

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 21 Plaintiffs Orange County Electrical Industry Health and Welfare Trust Fund; Local Union
 22 No. 441 of the International Brotherhood of Electrical Workers; and Douglas Chappell, as Trustee
 23 of the Trust Fund (“Plaintiffs”) and Defendant Action Electric Corporation (“Defendant”)
 24 (collectively, the “Parties”), by and through their respective counsel of record, hereby stipulate as
 25 follows:

26 WHEREAS, Plaintiffs filed the above-titled action on February 8, 2011, to which
 27 Defendant has timely filed an Answer on March 18, 2011;

28 WHEREAS, the Court’s original February 16, 2011 Case Management Order (Docket #7)

1 set forth a number of scheduling and case management deadlines, as follows: (1) Case
2 Management Statement due by 5/4/2011 (which requires the parties to conduct Rule 26(f)
3 conference and exchange Initial Disclosures prior to the Case Management Conference); and (2)
4 Case Management Conference held on May 11, 2011 at 2:00 p.m.;

5 WHEREAS, Judge Koh previously granted the parties' request to continue all case
6 management conference and related deadline (see Docket #13)

7 WHEREAS the above case management deadlines have been vacated due to a reassignment
8 of this action to Hon. Edward J. Davila ;

9 WHEREAS, the Parties have begun to engage in good faith settlement negotiations to
10 attempt early resolution of this action.

11 IT IS HEREBY STIPULATED AS FOLLOWS:

12 In light of the Parties' settlement negotiations, the Parties believe it is in the interest of
13 judicial economy and in the Parties' best interests to conserve their resources and focus their efforts
14 on settlement efforts as opposed to litigating this matter, and therefore requests that, when the case
15 management conference (which triggers associated Rule 26(f) conference and Initial Disclosure
16 deadlines) is calendared by the Court, the Court set the CMC for August 9, 2011 (or another date
17 soon thereafter convenient for the Court) at which point the Court can make further scheduling
18 orders as necessary.

19 SO STIPULATED.

20 Dated: May 3, 2011

CARLTON DiSANTE & FREUDENBERGER LLP

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By: /S/ Alison L. Tsao

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Alison L. Tsao

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Attorneys for Defendant
ACTION ELECTRIC CORPORATION

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I attest that I have obtained Ms. Quail's concurrence in the filing of this document.

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1 Dated: May 3, 2011

NEYHART, ANDERSON, FLYNN & GROSBOLL

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By: /S/ Chloe Quail

Chloe Quail

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Attorneys for Plaintiffs

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ORANGE COUNTY ELECTRICAL INDUSTRY HEALTH
AND WELFARE TRUST FUND, LOCAL No. 441 OF
IBEW, AND DOUGLAS CHAPPELL, AS TRUSTEE

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ORDER

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For good cause, the Court vacates all case management deadlines/obligations of the Parties

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and continues the Case Management Conference to September 9, 2011 at 10:00 a.m.

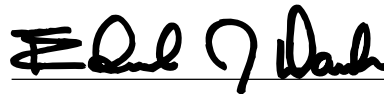
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IT IS SO ORDERED.

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Date: May 5, 2011



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United States District Judge
Judge Edward J. Davila

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