

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT

Trustees of the  
LABORERS PENSION TRUST FUND - DETROIT & VICINITY;  
LABORERS VACATION & HOLIDAY TRUST FUND - DETROIT & VICINITY;  
LABORERS METROPOLITAN DETROIT HEALTH & WELFARE FUND;  
LABORERS ANNUITY FUND - DETROIT & VICINITY; and the  
MICHIGAN LABORERS TRAINING FUND, trust funds established under,  
and administered pursuant to, federal law,

Plaintiffs,

v.

Case No. 2-14-cv-11122  
HON. GEORGE CARAM STEEH

KIRCO MANIX CONSTRUCTION, LLC,

Defendant.

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**STIPULATION AND CONSENT ORDER (I)  
GRANTING PLAINTIFFS' MOTION FOR  
RECONSIDERATION, AND (ii) VACATING ORDER  
GRANTING DEFENDANT'S MOTION TO DISMISS  
PURSUANT TO FED. R. CIV. P.12(b)(6)**

The undersigned hereby stipulate to the entry of the attached Order (I) Granting Plaintiffs' Motion for Reconsideration, and (ii) Vacating Order Granting Defendant's Motion to Dismiss Pursuant to Fed. R. Civ. P.12(b)(6).

Stipulated and Agreed:

SACHS WALDMAN

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Dated: March 13, 2015

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
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Trustees of the  
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Plaintiffs,

Case No. 2-14-cv-11122  
HON. GEORGE CARAM STEEH

v.

KIRCO MANIX CONSTRUCTION, LLC,

Defendant.

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**CONSENT ORDER (i) GRANTING PLAINTIFFS' MOTION FOR  
RECONSIDERATION, AND (ii) VACATING ORDER GRANTING  
DEFENDANT'S MOTION TO DISMISS PURSUANT TO FED. R.  
CIV. P.12(b)(6)**

Pursuant to the stipulation of the parties,

**IT IS HEREBY ORDERED** that:

Plaintiffs' Motion for Reconsideration of this Court's August 15, 2014  
Order Granting Defendant's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6)  
is granted; and, accordingly that this Court's August 15, 2014 Order Granting  
Defendant's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) is vacated and  
considered of no further force and effect.

DATED: March 13, 2015

s/George Caram Steeh  
UNITED STATES DISTRICT JUDGE