UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

STEVEN GERHARDSON, RON HANEK, MIKE JOHNSON, and JIM COSTELLO,

Civil No. 08-537 (JRT/JJK)

Plaintiffs,

v.

GOPHER NEWS COMPANY; CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND; and LOCAL NO. 638 OF THE MISCELLANEOUS DRIVERS, HELPER & WAREHOUSEMEN'S UNION (INTERNATIONAL BROTHERHOOD OF TEAMSTERS)

ORDER GRANTING DEFENDANT'S MOTION TO STRIKE JURY DEMAND AS TO COUNT 1

Defendants.

Jordan M. Lewis, **SIEGEL BRILL GREUPNER DUFFY & FOSTER**, **PA**, 100 Washington Avenue South, Suite 1300, Minneapolis, Minnesota 55401, for plaintiffs.

Anthony E. Napoli, **CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND**, 9377 West Higgins Road, Tenth Floor, Rosemont, Illinois 60018-4938, for defendant Central States, Southeast and Southwest Areas Pension Fund.

The Court HEREBY ORDERS that defendant Central States, Southeast and

Southwest Areas Pension Fund's Motion to Strike Plaintiffs' Jury Demand with Respect

to Count I of the Amended Complaint [Docket No. 84] is GRANTED.

DATED: April 16, 2010 at Minneapolis, Minnesota.

s/ John R. Tunheim JOHN R. TUNHEIM United States District Judge