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10 Attorneys for United States of America

11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE EASTERN DISTRICT OF CALIFORNIA

13 F & H CONSTRUCTION,

14 Plaintiff,

15 v.

16 THE UNITED STATES OF AMERICA,
erroneously named as United States Department
of Treasury, Internal Revenue Service et al.,

17 Defendants.

Civil No. 2:07-CV-00835-WBS-DAD

**STIPULATION AND [PROPOSED] ORDER
REGARDING LIEN PRIORITY AND
REQUEST FOR DISMISSAL OF THE BANK
OF STOCKTON AND THE TRUST FUND
DEFENDANTS**

18 The undersigned parties to the above-entitled action jointly submit this Stipulation and [Proposed]
19 Order Regarding Lien Priority and Request for Dismissal of the Bank of Stockton and the Trust Fund
20 Defendants¹ :

21 _____
22 ¹ The Trust Fund Defendants named in the Amended Complaint are the Northern California
23 Glaziers, Architectural Metal and Glass Workers Pension Plan; Joint Board of Trustees of the Northern
24 California Glaziers, Architectural Metal and Glass Workers Pension Plan; and Gene Massey as Trustee;
25 the Northern California Glaziers, Architectural Metal and Glass Workers Welfare Plan; Joint Board of
26 Trustees of the Northern California Glaziers, Architectural Metal and Glass Workers Welfare Plan; and
27 Douglas Christopher as Trustee; Glaziers Individual Account Retirement Plan; Joint Board of Trustees of
28 the Glaziers Individual Account Retirement Plan; and James Graham as Trustee; the Northern California
District Counsel 16 Apprentice and Journeyman Training Trust Fund; Joint Board of Trustees of the
Northern California District Counsel 16 Apprentice and Journeyman Training Trust Fund; and Alfred
Skip Wertz as Trustee; I.U.P.A.T. Union and Industry National Pension Fund; Joint Board of Trustees of
the I.U.P.A.T. Union and Industry National Pension Fund; and James Williams and Ralph Trallo as co-
Trustees; Glass and Glazing Industry Trust Fund; and Alfred Skip Wertz as Trustee; District Council No.
16, International Union of Painters and Allied Trades, Glaziers, Architectural Metal and Glass Workers
Local Union 767.

1 Dated: July 19, 2007

/s/ Dennis Hauser
DENNIS HAUSER
Hauser & Mouzes
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2
3 Attorney for the Bank of Stockton
4

5 Dated: July 23, 2007

/s/ Michele Stafford
MICHELE STAFFORD
Saltzman and Johnson Law Corporation
(415) 882-7900

6
7 Attorney for the Trust Fund Defendants
8

9 Dated: July 20, 2007

/s/ Charles Hastings
CHARLES HASTINGS
(209) 476-1010


10
11 Attorney for Engineered Glass Walls, Inc.
12

13 **ORDER**

14 Pursuant to the foregoing stipulation of Plaintiff F&H Construction, the United States, Engineered
15 Glass Walls, Inc., the Bank of Stockton, and the Trust Fund Defendants, the Bank of Stockton and the
16 Trust Fund Defendants are hereby DISMISSED WITH PREJUDICE from this action.

17 **IT IS SO ORDERED.**
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19 Dated: July 25, 2007

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21 WILLIAM B. SHUBB
22 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing has been made this 23rd day of July, 2007, by depositing true and correct copies thereof in the United States mail, postage prepaid, addressed to:

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Christa Mansholt-Choy
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/s/ Justin S. Kim
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