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 6 THE BURLINGTON
 INSURANCE COMPANY

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

11 THE BURLINGTON INSURANCE)
 COMPANY,)

No. 1:10-cv-00100-LJO-SKO

13 Plaintiff,)

12)
)
) REQUEST FOR CONTINUANCE
) OF SCHEDULING CONFERENCE
) AND ORDER

14 vs.)

15 DIAMOND PARTNERS, INC., dba THE)
 OTHER BAR; JACQUELINE GODBOUT)
 16 and ANTHONY GODBOUT, Individually)
 and as Conservators of KENNETH)
 17 GODBOUT; and ANTHONY GODBOUT as)
 Guardian Ad Litem for the Children of)
 18 KENNETH GODBOUT,)

Date: April 22, 2010
 Time: 9:00 a.m.
 Place: Courtroom of Hon. Sheila K. Oberto

19 Defendants.)

22 Plaintiff The Burlington Insurance Company ("Burlington") hereby requests that the Court
 23 continue the scheduling conference currently scheduled for April 22, 2010 to permit time for
 24 defendants Jacqueline Godbout and Anthony Godbout to be personally served with the summons
 25 and complaint and make their appearances.

26 The complaint was filed in this action on January 21, 2010, and was served on defendant
 27 Diamond Partners, Inc., on January 22, 2010. On April 14, 2010, having received no answer or
 28 other appearance by Diamond Partners, plaintiff Burlington filed a Request for Entry of Default

1 against Diamond Partners. Default was entered by the Clerk on April 15, 2010.

2 On February 19, plaintiff's counsel mailed requests for waivers of service, along with a
3 copy of the complaint, to counsel for defendants Jacqueline Godbout and Anthony Godbout. No
4 response has been received to those requests for waiver of service, so Burlington is now trying to
5 find and personally serve those defendants.

6 At this point, however, none of the defendants have appeared in this matter. Burlington
7 therefore respectfully requests that the Court continue the Scheduling Conference currently
8 scheduled for April 22, 2010, by approximately 60 days to allow time for the Godbout defendants
9 to be served, to make their appearances, and to participate in the Rule 26(f) Conference of the
10 Parties.

11 Dated: April 16, 2010

Respectfully submitted,

12 MORISON HOLDEN DEREWETZKY &
13 PROUGH, LLP

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15 By: s/Thomas Holden
Thomas Holden

16 Attorneys for Plaintiff
17 THE BURLINGTON
INSURANCE COMPANY

18
19
20 ORDER

21 IT IS SO ORDERED. The Scheduling Conference set for April 22, 2010, shall be
22 continued until Wednesday, June 23, 2010, at 9:30 a.m.

23
24 Dated: April 16, 2010

25 /s/ Sheila K. Oberto
26 United States Magistrate Judge
Sheila K. Oberto

27 144716