

1 **Thomas P. Riley, SBN 194706**
2 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
3 **First Library Square**
4 **1114 Fremont Avenue**
5 **South Pasadena, CA 91030**

6 **Tel: 626-799-9797**
7 **Fax: 626-799-9795**
8 **TPRLAW@att.net**

9 **Attorneys for Plaintiffs**
10 **J & J Sports Productions, Inc.**

11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**
13 **FRESNO DIVISION**

14 **J & J SPORTS PRODUCTIONS, INC.,**

15 **Plaintiff,**

16 **vs.**

17 **CAL CITY POST NO. 476, THE**
18 **AMERICAN LEGION, et al.**

19 **Defendant.**

20 **CASE NO. 1:10-cv-00762-AWI-JLT**

21 **PLAINTIFF'S *EX PARTE***
22 **APPLICATION FOR AN ORDER**
23 **VACATING THE SCHEDULING**
24 **CONFERENCE; AND ORDER**

25 **TO THE HONORABLE JENNIFER L. THURSTON, THE DEFENDANT, AND ITS**
26 **ATTORNEYS OF RECORD:**

27 Plaintiff J & J Sports Productions, Inc. hereby applies *ex parte* for an order vacating the
28 Scheduling Conference in this action, presently set for Thursday, October 7, 2010 at 9:00 a.m. This
request will be, and is, necessitated by the fact that defendant Cal City Post No. 476, The American
Legion, an unknown business entity d/b/a Cal City American Legion, Post 476 a/k/a Harry V. Bailey,
Sr. American Legion Post 476 is in default and Plaintiff's Application for Default Judgment is
currently pending before the Court.

As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive
pleading from the defendants. As a result, Plaintiff's counsel has not conferred with the defendants
concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

It is hereby ordered that the Scheduling Conference in civil action number 1:10-cv-00762-AWI-JLT styled *J & J Sports Productions, Inc. v. Cal City Post No. 476, The American Legion, et al.*, is hereby vacated.

Plaintiff shall also serve a copy of this Order on the Defendants and thereafter file a Certification of Service of this Order with the Clerk of the Court.

IT IS SO ORDERED.

Dated: September 24, 2010

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE