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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 **TASHA A. JAMES, et al.**

18 **Defendant.**

19 **CASE NO. 1:10-cv-01711-AWI-GSA**

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

25 **TO THE HONORABLE GARY S. AUSTIN, THE DEFENDANTS, AND HIS**
26 **ATTORNEYS OF RECORD:**

27 Plaintiff J & J Sports Productions, Inc. hereby applies *ex parte* for an order vacating the Case Management Conference in this action, presently set for Wednesday, March 30, 2011 at 9:30 A.M. This request will be, and is, necessitated by the fact that defendant James & Carlton Family Pizza, Inc., an unknown business entity d/b/a Pizza Factory a/k/a Visalia Pizza Factory 1 is in default and Plaintiff's Application for Default Judgment will soon be filed before this Honorable Court.

28 As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive pleading from the defendant. As a result, Plaintiff's counsel has not conferred with the defendant concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the case itself or the preparation of a Case Management Conference Statement.

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ORDER

It is hereby ordered that the Case Management Conference in civil action number 1:10-cv-01711-AWI-GSA styled *J & J Sports Productions, Inc. v. Tasha A. James, 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: March 23, 2011

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE