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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 **ARTURO M. FLORES, et al.**

18 **Defendants.**

19 **CASE NO. 1:10-cv-02087-AWI-JLT**

20 **PLAINTIFF'S *EX PARTE***
21 **APPLICATION FOR AN ORDER**
22 **VACATING THE INITIAL**
23 **SCHEDULING CONFERENCE; AND**
24 **ORDER**
25 **(Doc. 14)**

26 **TO THE HONORABLE JENNIFER L. THURSTON, THE DEFENDANTS, AND**
27 **THEIR ATTORNEYS OF RECORD:**

28 Plaintiff J & J Sports Productions, Inc. hereby applies *ex parte* for an order vacating the Initial Scheduling Conference in this action, presently set for Thursday, June 16, 2011 at 8:30 A.M. This request will be, and is, necessitated by the fact that defendants Arturo M. Flores and Alejandro Alex Vazquez, individually and d/b/a Los Amigos a/k/a Marakas Tropical a/k/a La Placita are in default and Plaintiff's Application for Default Judgment will soon be filed with this Honorable 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 case itself or the preparation of a Joint Scheduling Conference Statement.

1 **WHEREFORE**, Plaintiff respectfully requests that this Honorable Court vacate the Initial
2 Scheduling Conference presently scheduled for Thursday, June 16, 2011 at 8:30 A.M. in order that
3 Plaintiff and its counsel may avoid necessary fees and costs in this matter presently pending final
4 disposition by virtue of Plaintiff's Application for Default Judgment by the Court.

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Respectfully submitted,

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Dated: June 8, 2011

/s/ Thomas P. Riley

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LAW OFFICES OF THOMAS P. RILEY, P.C.

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By: Thomas P. Riley

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Attorneys for Plaintiff

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J & J Sports Productions, Inc.

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ORDER

Good cause appearing,

1. The Scheduling Conference, calendared for June 16, 2011, is hereby VACATED;
2. Within 21 days of the date of this order, Plaintiff SHALL file its motion for entry of default;
3. Plaintiff SHALL 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: June 8, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE