Thomas P. Riley, SBN 194706 LAW OFFICES OF THOMAS P. RILEY, P.C. First Library Square 1114 Fremont Avenue South Pasadena, CA 91030 Tel: 626-799-9797 Fax: 626-799-9795 TPRLAW@att.net **Attorneys for Plaintiffs** J & J Sports Productions, Inc. 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 FRESNO DIVISION 10 J & J SPORTS PRODUCTIONS, INC., CASE NO. 1:10-cv-02090-AWI-SKO 11 Plaintiff, 12 PLAINTIFF'S EX PARTE 13 VS. APPLICATION FOR AN ORDER VACATING THE INITIAL 14 ANGELINA CARREON HERRERA, et al. SCHEDULING CONFERENCE; AND **ORDER** 15 Defendant. 16 17 TO THE HONORABLE SHEILA K. OBERTO, THE DEFENDANT, AND HER 18 ATTORNEYS OF RECORD: 19 Plaintiff J & J Sports Productions, Inc. hereby applies ex parte for an order vacating the Initial 20 Scheduling Conference in this action, presently set for Tuesday, February 15, 2011 at 9:30 A.M. This 21 request will be, and is, necessitated by the fact that defendant Angelina Carreon Herrera, individually 22 and d/b/a El Pio Pio is in default and Plaintiff's Application for Default Judgment is currently 23 pending before this Honorable Court. 24 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 25 concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the 26 case itself or the preparation of a Joint Scheduling Conference Statement. 27 28

1	WHEREFORE, Plaintiff respectful	lly requests that this Honorable Court vacate the Initial
2	Scheduling Conference presently scheduled for Tuesday, February 15, 2011 at 9:30 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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7		Respectfully submitted,
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11	Dated: February 7, 2011	/s/ Thomas P. Riley LAW OFFICES OF THOMAS P. RILEY, P.C.
12		By: Thomas P. Riley
13		Attorneys for Plaintiff J & J Sports Productions, Inc.
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		ORDER
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17	It is hereby ordered that the Initial Scheduling Conference in <i>J & J Sports Productions, Inc. v.</i>	
18	Angelina Carreon Herrera, et al., 1:10-cv-02090-AWI-SKO, is hereby vacated.	
19	Plaintiff shall serve a copy of this Order on the Defendant and thereafter file a certificate of	
20	service of this Order with the Clerk of the Court.	
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23	IT IS SO ORDERED.	
24	Dated: February 7, 2011	/s/ Sheila K. Oberto
25		UNITED STATES MAGISTRATE JUDGE
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