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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 **ALVARO L. LUPIAN, et al.**

18 **Defendants.**

19 **CASE NO. 1:10-cv-02104-LJO-GSA**

20 **ORDER RE PLAINTIFF'S *EX PARTE***
21 **APPLICATION FOR AN ORDER**
22 **VACATING THE INITIAL**
23 **SCHEDULING CONFERENCE**

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

26 Plaintiff J & J Sports Productions, Inc. hereby applies *ex parte* for an order vacating the Initial
27 Scheduling Conference in this action, presently set for Thursday, February 17, 2011 at 9:00 A.M. This
28 request will be, and is, necessitated by the fact that defendant Alvaro L. Lupian a/k/a Alvaro L. Lua,
individually and d/b/a El Progreso 4 Bar is 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 defendant
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.

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