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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 **MARTIN PEREZ, JR., et al.**

18 **Defendants.**

19 **CASE NO. 1:10-cv-02245-AWI-DLB**

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

25 **TO THE HONORABLE DENNIS L. BECK, THE DEFENDANT, AND HIS**  
26 **ATTORNEYS OF RECORD:**

27 Plaintiff J & J Sports Productions, Inc. hereby applies *ex parte* for an order vacating the Initial  
28 Scheduling Conference in this action, presently set for Tuesday, June 21, 2011 at 9:00 A.M. This  
request will be, and is, necessitated by the fact that defendant Martin Perez, Jr., individually and d/b/a  
La Cascada 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 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.

**WHEREFORE**, Plaintiff respectfully requests that this Honorable Court vacate the Initial  
Scheduling Conference presently scheduled for Tuesday, June 21, 2011 at 9:00 A.M. in order that

1 Plaintiff and its counsel may avoid necessary fees and costs in this matter presently pending final  
2 disposition by virtue of Plaintiff's Application for Default Judgment by the Court.

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Dated: March 11, 2011

Respectfully submitted,  
/s/ Thomas P. Riley  
**LAW OFFICES OF THOMAS P. RILEY, P.C.**  
By: Thomas P. Riley  
Attorneys for Plaintiff  
J & J Sports Productions, Inc.

**ORDER**

It is hereby ordered that the Initial Scheduling Conference in civil action number 1:10-cv-02245-AWI-DLB styled *J & J Sports Productions, Inc. v. Martin Perez, Jr., 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: June 15, 2011

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE