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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their)
capacities as Trustees of the)
LABORERS HEALTH AND WELFARE TRUST)
FUND FOR NORTHERN CALIFORNIA;)
LABORERS VACATION-HOLIDAY TRUST)
FUND FOR NORTHERN CALIFORNIA;)
LABORERS PENSION TRUST FUND FOR)
NORTHERN CALIFORNIA; and, LABORERS)
TRAINING AND RETRAINING TRUST FUND)
FOR NORTHERN CALIFORNIA,)
Plaintiffs,)
v.)
JUAN MANUEL NUNEZ, individually,)
JUAN MANUEL NUNEZ, individually)
and d/b/a ACEQUIA CEMENT, and)
ACEQUIA CEMENT,)
Defendants.)

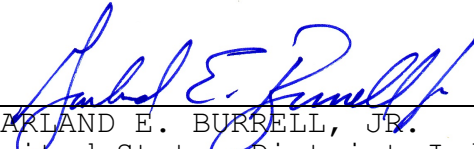
2:08-cv-02688-GEB-DAD
ORDER

Plaintiffs' counsel responded to an Order to Show Cause ("OSC") requiring Plaintiffs to explain "why sanctions should not be imposed under Rule 16(f) of the Federal Rules of Civil Procedure for the failure to timely file a pretrial statement," by indicating that Plaintiffs had no obligation to inform the Court that Defendants filed a Notice of Bankruptcy until Plaintiffs responded to the OSC. Clearly, Plaintiffs and Defendants should have filed a document notifying the Court of the bankruptcy filing,

1 and failure to comply with this obligation is sanctionable conduct.

2 The June 21, 2010 pretrial conference and the August 17,
3 2010 trial date are vacated. A joint pretrial statement shall be
4 filed within fourteen days of the date on which the bankruptcy stay
5 is lifted.

6 Dated: June 8, 2010

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GARLAND E. BURRELL, JR.
United States District Judge

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