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BAY AREA PAINTERS AND TAPERS
7 PENSION FUND, et al.

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10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 BAY AREA PAINTERS AND TAPERS
13 PENSION FUND, et al.,

14 Plaintiffs,

15 v.

16 RODEO DRYWALL, INC. and TONY
17 RODRIGUEZ,

18 Defendants.

Case No.: C07-6344 MHP

**REQUEST TO CONTINUE CASE
MANAGEMENT CONFERENCE**

Date: September 8, 2008

Time: 3:00 p.m.

Dept.: Ctrm. 15, 18th Floor

Judge: Hon. Marilyn Hall Patel

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20 Plaintiffs hereby request that the Case Management Conference, currently scheduled for
21 Monday, September 8, 2008 at 3:00 p.m., be continued for 90-120 days.

22 1. The Clerk entered the default of the defendants on January 23, 2008.

23 2. At the time of the initial conference, plaintiffs were in contact with Tony
24 Rodriguez, who advised that he would submit his missing contribution reports (for the months of
25 July, August and September 2007) “right away” and that he wanted to “work things out.” I was
26 prepared to either resolve this matter with the defendant, or, if necessary, file a Motion for Default
27 Judgment. No reports were received, despite multiple follow up contacts by this office and thus
28 the Motion was not filed as anticipated.

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PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 44 Montgomery Street, Suite 2110, San Francisco, California 94101.

On September 2, 2008, I served the following document(s):

REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE

on the interested parties in said action by placing a true and exact copy of each document in a sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San Francisco, California, addressed as follows:

**Rodeo Drywall, Inc.
38721 Blacow Road
Fremont, California 94536**

**Tony Rodriguez
38721 Blacow Road
Fremont, California 94536**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 2nd day of September, 2008, at San Francisco, California.

_____/s/_____
Vanessa de Fábrega