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6 Attorneys for Plaintiffs

7  
 8 UNITED STATES DISTRICT COURT  
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 GIL CROSTHWAITE, et al.,  
 11 Plaintiffs,  
 v.  
 12 RYAN McCLURE EXCAVATION, INC.  
 13 Defendant.  
 14

Case No.: C08-2403 JSW

**REQUEST FOR CONTINUANCE OF  
 CASE MANAGEMENT CONFERENCE  
 AND ORDER THEREON**

Date: December 19, 2008  
 Time: 1:30 p.m.  
 Ctrm: 2, 17<sup>th</sup> Floor  
 Judge: The Honorable Jeffrey S. White

15 Saltzman & Johnson Law Corporation is counsel for Plaintiffs GIL CROSTHWAITE, et  
 16 al. (“Plaintiffs”). Defendant Ryan McClure Excavation, Inc. (“Defendant”) has not yet appeared  
 17 in this action.

18 In July 2008, Defendant’s counsel provided documents related to this action to Plaintiffs’  
 19 counsel. In an effort to have sufficient opportunity to review the documents and meet and confer  
 20 with Defendant’s counsel, Plaintiffs’ counsel requested a continuance of the Case Management  
 21 Conference. After analyzing said documents, Plaintiffs’ counsel requested additional documents  
 22 in October 2008 which were believed to be in Defendant’s possession and thus, counsel for the  
 23 parties requested a continuance of the Case Management Conference.

24 On December 8, 2008, Defendant produced additional documents for review by Plaintiffs’  
 25 counsel. Plaintiffs’ counsel is still in the process of reviewing said documents and the parties will  
 26 require sufficient time to discuss the pending claims in light of the additional information that has  
 27 recently been provided. The parties expect that the additional information will assist in resolving  
 28

1 the dispute between the parties regarding the balance owed by the Defendant to Plaintiffs.  
2 Plaintiffs anticipate that Defendant will either provide payment in a sum agreed to by the parties or  
3 enter into a stipulated judgment consisting of a payment plan.

4 Based on the foregoing, the parties respectfully request that the Case Management  
5 Conference, currently scheduled for December 19, 2008, be continued for approximately sixty  
6 (60) days to allow the parties ample opportunity to resolve their differences. It is furthermore  
7 requested that all previously set deadlines and dates related to this case be continued as well.

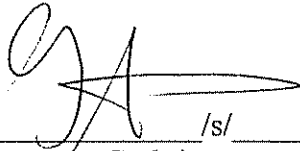
8 I declare under penalty of perjury that I am the attorney for the plaintiffs in the above  
9 entitled action, and that the foregoing is true of my own knowledge.

10 Executed this 12<sup>th</sup> day of December, 2008, at San Francisco, California.

11 SALTZMAN & JOHNSON  
12 LAW CORPORATION

13  
14 By: \_\_\_\_\_ /s/ \_\_\_\_\_  
15 Shaamini A. Babu  
16 Attorneys for Plaintiffs

17 MURPHY, CAMPBELL, GUTHRIE & ALLISTON

18  
19 By:  /s/ \_\_\_\_\_  
20 George A. Guthrie  
21 Attorneys for Defendant

22 IT IS SO ORDERED.

23 The currently set Case Management Conference is hereby continued to  
24 February 27, 2009 at 1:30 p.m.. All related deadlines are extended  
25 accordingly.

26 Date: December 16, 2008

27   
28 United States District Court Judge