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6 Attorneys for Plaintiffs

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 BOARD OF TRUSTEES OF THE
LABORERS HEALTH AND WELFARE
12 TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
13 THE LABORERS VACATION-HOLIDAY
TRUST FUND FOR NORTHERN
14 CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS PENSION TRUST FUND
15 FOR NORTHERN CALIFORNIA; and
BOARD OF TRUSTEES OF THE
16 LABORERS TRAINING AND RETRAINING
TRUST FUND FOR NORTHERN
17 CALIFORNIA,

18 Plaintiffs,

19 v.

20 JORGE RAFAEL ABOGADO dba DEEPSPIN
CONCRETE CUTTING,

21 Defendant.
22

Case No.: C 08 02855 VRW

**STATEMENT IN LIEU OF CASE
MANAGEMENT CONFERENCE;
ORDER THEREON**

Date: December 11, 2008
Time: 3:30 p.m.
Ctroom: 6, 17th Floor
Hon. Vaughn R. Walker

23 Plaintiffs offer this Statement in Lieu of the Case Management Conference Statement.

24 On June 9, 2008 Plaintiffs filed their Complaint for Damages for Breach of Collective
25 Bargaining Agreement, To Recover Unpaid Trust Fund Contributions, For Breach of Fiduciary
26 Duty And For A Mandatory Injunction ("Complaint") against Defendant Jorge Rafael Abogado
27 dba Deepspin Concrete Cutting ("Jorge Rafael Abogado").
28

1 Defendant's Answer was due on or before July 7, 2008. No Answer was filed by
2 Defendant. On September 19, 2008 the Clerk entered the Default of Defendant. Plaintiffs will
3 have the Motion for Default Judgment filed with this Court within the next 30 days.

4 Based on the above, Plaintiffs respectfully request that this Court extend the Case
5 Management Conference for 30 days to allow Plaintiffs to finalize their Motion for Default
6 Judgment.

7 DATED: December 9, 2008

8 BULLIVANT HOUSER BAILEY PC

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10 By *Ronald L. Richman*
11 Ronald L. Richman
Susan J. Olson

12 Attorneys for Plaintiffs

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14 **CASE MANAGEMENT ORDER**

15 The Court having read Plaintiffs' Statement in Lieu of Case Management Conference
16 Statement and good cause appearing therefore:

17 IT IS HEREBY ORDERED that the Case Management Conference currently scheduled
18 for December 11, 2008 at 3:30 p.m. be continued to February 5, 2009 at 3:30
19 p.m., Courtroom 6, 17th Floor.

20 DATED: December 10, 2008

21
22 By *Vaughn R Walker*
23 UNITED STATES DISTRICT COURT
24 JUDGE
25 Judge Vaughn R Walker
26 NORTHERN DISTRICT OF CALIFORNIA
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