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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

**PLAINTIFFS' REQUEST TO VACATE
CASE MANAGEMENT CONFERENCE**

Date: February 5, 2009
Time: 3:30 p.m.
Ctroom: 6, 17th Floor
Hon. Vaughn R. Walker

23 Plaintiffs Request that this Court Vacate the Case Management Conference on the
24 following grounds.

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

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.

3 On January 12, 2009 Plaintiffs filed their Motion for Default Judgment. Hearing is set
4 for April 9, 2009.

5 Based on the above, Plaintiffs respectfully request that this Court vacate the Case
6 Management Conference.

7 DATED: January 27, 2009

8 BULLIVANT HOUSER BAILEY PC

9
10 By *Ronald L. Richman*

11 Ronald L. Richman
12 Susan J. Olson

13 Attorneys for Plaintiffs

14 **CASE MANAGEMENT ORDER**

15 The Court having read Plaintiffs' Request To Vacate Case Management Conference and
16 good cause appearing therefore:

17 IT IS HEREBY ORDERED that the Case Management Conference currently scheduled
18 for February 5, 2009 at 3:30 p.m. be vacated.

19 DATED: January ____, 2009

20 By *Vaughn R. Walker*
21 VAUGHN R. WALKER
22 UNITED STATES DISTRICT JUDGE

23 11073538.1

