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The Chuck Olsen Co., Inc.  
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8 UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 THE CHUCK OLSEN CO., INC.,

11 Plaintiff,

12 v.

13 MENDOCINO GOLD GIFTS LLC, et al.,

14 Defendants.  
15

CASE NO. C08-03039 MEJ

**CASE MANAGEMENT  
CONFERENCE STATEMENT –  
REQUEST TO CONTINUE**

**CMC Date: December 18, 2008**

**CMC Time: 10:00 a.m.**

**CMC Place: Ctrm. B, 15<sup>th</sup> Floor  
San Francisco**

16 Plaintiff The Chuck Olsen Co., Inc. ("Olsen" or "Plaintiff") respectfully requests that the  
17 Case Management Conference and the associated dates be continued for an additional 45 to 60  
18 days based on the following:

19 1. All Defendants have been served with the Complaint and Summons in this action,  
20 Plaintiff has filed the Proof of Service, and a Request for Entry of Default by Clerk has been  
21 filed. The Clerk has requested clarification regarding service, which counsel is obtaining from  
22 the process server, and a Declaration will be filed shortly responding to the Clerk's inquiry.

23 2. Plaintiff's attorney has been discussing a resolution of this action with  
24 Defendants' representative, and she expects that that parties will reach an agreement within the

1 next two weeks relating to payment of the sums that Plaintiff alleges are due under its PACA  
2 trust claim and its contract claim.

3 3. Based on these on-going discussions, Plaintiff respectfully requests one last  
4 continuance of the Case Management Conference for 45 to 60 days to allow Plaintiff either to  
5 dismiss this action (based on a settlement between the parties and payment of the sums owed) or  
6 to file a motion for default judgment.

7 I declare under penalty of perjury under the laws of the United States that the foregoing is  
8 true and correct.

9 Date: December 11, 2008

RYNN & JANOWSKY, LLP

11 By: /s/ Marion I. Quesenbery  
12 MARION I. QUESENBERRY  
13 Attorneys for Plaintiff  
14 The Chuck Olsen Co., Inc.

15 **IT IS SO ORDERED. The Case Management Conference is continued to**  
16 February 26 \_\_\_\_\_, 2009, at 10:00 \_\_\_\_\_ a.m., in Courtroom B, 15<sup>th</sup> Floor, San Francisco.

17 Date: December \_\_, 2008

18 \_\_\_\_\_  
19 U.S. MAGISTRATE JUDGE  
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