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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 RIPPLE RILEY THOMAS, LLC; HELEN
14 RIPPLE; KATHLEEN RILEY; and ANNE
THOMAS,

15 Defendants.

CASE NO. C08-03040 BZ

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

CMC Date: December 1, 2008

CMC Time: 4:00 p.m.

**CMC Place: Ctrm. G, 15th Floor
San Francisco**

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

20 1. All Defendants have been served with the Complaint and Summons in this action,
21 Plaintiff has filed the Proof of Service, and a Request for Entry of Default by Clerk has been
22 filed.

23 2. Plaintiff has been discussing a resolution of this action with Defendants'
24 representative, and Defendants have paid all outstanding invoices owed to Plaintiff;

1 however, they have not yet paid the interest and attorneys' fees owed to Plaintiff, which Plaintiff
2 alleges is due under its PACA trust claim and its contract claim. Plaintiff and Defendants'
3 representative are attempting to resolve this issue and expect to do so shortly. Consequently,
4 Plaintiff has not yet filed a Motion for Default Judgment.

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

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

10 Date: November 24, 2008

RYNN & JANOWSKY, LLP

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By: /s/ Marion I. Quesenbery
MARION I. QUESENBERY
Attorneys for Plaintiff
The Chuck Olsen Co., Inc.

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IT IS SO ORDERED. The Case Management Conference is continued to
January 26 _____ 2009, at 4:00 _____ p.m., in Courtroom G, 15th Floor, San
17 **Francisco.** Plaintiff shall serve this Order on all defendants forthwith.

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Date: November 24, 2008



U.S. MAGISTRATE JUDGE

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