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6 Attorneys for Plaintiffs

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UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 GIL CROSTHWAITE, et al., as Trustees of the
 OPERATING ENGINEERS HEALTH AND
 12 WELFARE TRUST FUND FOR NORTHERN
 CALIFORNIA, et al.,

Case No.: C08-3973 SC

13

Plaintiffs,

**JOINT REQUEST TO CONTINUE
 CASE MANAGEMENT CONFERENCE**

14

Date: December 5, 2008

v.

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ADVANCED DRILLING WORKS, INC., a
 16 California Corporation, and GREGORY G.
 UFFENS, an Individual,

Time: 10:00 a.m.

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Defendants.

Ctrm: 1, 17th Floor

Judge: The Honorable Samuel Conti

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19 The parties hereto hereby request that the Case Management Conference, currently set for
 20 December 5, 2008, be continued for approximately 60 days.

21 1. The Complaint in this matter was filed on August 20, 2008 to compel Defendants
 22 to comply with an audit on its payroll records, and to pay to Plaintiffs any additional amounts
 23 found due thereby.

24 2. After service of the Complaint, Defendants complied with the audit and the parties
 25 are now waiting for the report to be issued by Plaintiffs' auditor. That report will be sent to
 26 Defendants for review.

27 3. Because the Defendants had complied with the audit but the report was not yet
 28 issued, it was not determined if there was anything to resolve. The parties therefore failed to

-1-

REQUEST FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE

Case No.: C08-3973 SC

1 timely file the ADR Certification, for which counsel apologize for any inconvenience to the Court
2 or the ADR Section.

3 4. The parties are therefore filing a Notice of Need for ADR Phone Conference, but
4 request that it be scheduled in accordance with the requested continuance of the Case Management
5 Conference. If ADR is necessary, a fully executed ADR Certification will be filed.

6 5. Once the audit report is issued and reviewed, the parties will discuss any matters
7 which may be raised by the audit findings, in an attempt to resolve any disputes.

8 6. There are no other issues to be discussed at this time.

9 7. The parties therefore respectfully request that the Case Management Conference be
10 continued for 60 days to allow for the intervening holidays and for the parties to attempt resolution
11 if any is necessary, in the interest of conserving costs as well as the Court's time and resources.

12 8. It is furthermore requested that all previously set deadlines and dates related to this
13 case be continued as well.

14 Dated: November 26, 2008

SALTZMAN & JOHNSON
LAW CORPORATION

16 By: _____/S/_____

17 Muriel B. Kaplan
Attorneys for Plaintiffs

18 Dated: November 26, 2008

HOPKINS & CARLEY

20 By: _____/S/_____

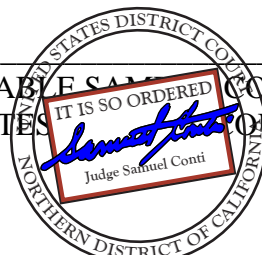
21 Ernest M. Malaspina
Attorneys for Defendants

22 IT IS SO ORDERED.

23 Based on the foregoing, and GOOD CAUSE APPEARING, the currently set Case
24 Management Conference is hereby continued to February 20, 2009, and all previously set
25 deadlines and dates related to this case are vacated, to be reset at that Conference.

26 Date: 12/2/08

27 THE HONORABLE E. SALVATORE CONTI
UNITED STATES DISTRICT COURT JUDGE



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REQUEST FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE

Case No.: C08-3973 SC