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UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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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

v.

Date: February 20, 2009

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ADVANCED DRILLING WORKS, INC., a
 California Corporation, and GREGORY G.
 16 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 February 20, 2008, again be continued for approximately 60 days, as follows:

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

23 2. After service of the Complaint, Defendants complied with the audit and the parties
 24 were waiting only for the report to be issued by Plaintiffs' auditor and sent to Defendants for
 25 review. The parties therefore requested, and the court allowed, a continuance of the prior Case
 26 Management Conference, pending completion and review of the audit report.

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1 3. However, Plaintiffs' auditor subsequently determined that in fact all necessary
2 documents had *not* been provided, and made written request on Defendants on December 15, 2008
3 for the specific group of undisclosed records.

4 4. Defendants first declined to provide the documents, then agreed to but did not
5 provide them. The auditor again requested the documents in writing in January, 2009, and only
6 following discussion between counsel, did Defendants agree to provide them promptly.
7 Nevertheless, Plaintiffs' auditor advised that they only recently received those documents on
8 February 9, 2009, for their review. The parties are therefore still in a position of not knowing if
9 there is any issue to address or resolve in this matter.

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

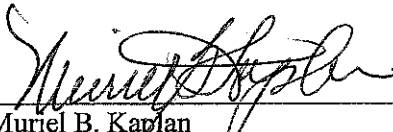
12 6. There are no other issues to be discussed at this time.

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1 7. The parties therefore respectfully request that the Case Management Conference be
2 continued for 60 days to allow time for the auditor to provide the report, and for the parties to
3 review it and attempt resolution if any is necessary, in the interest of conserving costs as well as
4 the Court's time and resources.

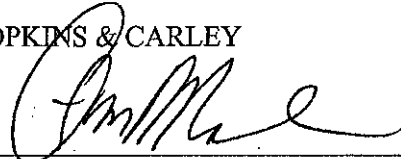
5 Dated: February 13, 2009

SALTZMAN & JOHNSON
LAW CORPORATION

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8 By: 
Muriel B. Kaplan
Attorneys for Plaintiffs

9 Dated: February 13, 2009

HOPKINS & CARLEY

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11 By: 
Ernest M. Malaspina
Attorneys for Defendants

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15 IT IS SO ORDERED.

16 Based on the foregoing, and GOOD CAUSE APPEARING, the currently set Case
17 Management Conference is hereby continued to April 17, 2009, and all previously
18 vacated deadlines and dates related to this case may be reset at that Conference.

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20 Date: 2/17/09

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22 THE HONOR  CONTI
UNITED STATES DISTRICT COURT JUDGE
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JOINT REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE

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