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11 Attorneys for the Plaintiff
 12 HILDA L. SOLIS, Secretary of Labor
 13 UNITED STATES DEPARTMENT OF LABOR

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 HILDA L. SOLIS, Secretary of Labor,)	Civil Case No. C 08-4854 EMC
17 UNITED STATES DEPARTMENT OF LABOR,)	
)	
18 Plaintiff,)	REQUEST/STIPULATION OF
)	PARTIES TO CHANGE DATE AND
19 v.)	CONDUCT CASE MANAGEMENT
)	CONFERENCE BY TELEPHONE
20 ZENITH CAPITAL LLC, a California business)	
21 entity; RICK LANE TASKER, an individual;)	ORDER
22 MICHAEL GREGORY SMITH, an individual;)	
23 and MARTEL JED COOPER, an individual,)	
)	
24 Defendants.)	
)	

25 Pursuant to Local Rules 7-12 and 16-10, the parties hereby request that the Court
 26 reschedule the Case Management Conference for June 8, 2011 at 2:00 p.m. In addition, the
 27 parties request that the Court hold a telephonic Case Management Conference in this matter and
 28 permit all counsel to participate in the Case Management Conference by telephone. The Case
 Management Conference in this case is scheduled for June 1, 2011, at 1:30 p.m., in Courtroom
 C, 15th Floor, Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate
 Avenue, San Francisco, California.

1 Counsel for the Secretary has a scheduling conflict with the June 1, 2011 date and all
2 parties have agreed to reschedule the Case Management Conference to June 8, 2011, or as soon
3 thereafter as the Court is available.

4 The Secretary and the defendants are using their best efforts to manage the costs of this
5 litigation whenever possible, including the costs and expenses associated with travel. All
6 counsel in this case are located outside the San Francisco area; counsel for the Secretary is
7 located in Washington, D.C. and counsel for defendants' Zenith Capital, Cooper and Smith are
8 located in San Diego, California. Defendant Tasker is appearing *in pro se* in this matter and is
9 located in Santa Rosa, California.

10 Allowing the Case Management Conference to proceed by telephone would allow all
11 parties to avoid the expenses associated with their attorneys traveling to San Francisco for the
12 Case Management Conference. Counsel for the Secretary would be happy to undertake the
13 necessary arrangements for a telephonic Case Management Conference should the Court grant
14 the parties' request.

15 Dated: May 16, 2011

16 By: /s/ Wayne R. Berry

17 Attorney signing

18 WAYNE R. BERRY
19 ROBIN SPRINGBERG PARRY
20 Attorneys for Plaintiff
21 HILDA L. SOLIS, Secretary of Labor,
22 UNITED STATES DEPARTMENT OF LABOR
23

24 Dated: May 13, 2011

25 By: /s/ Douglas A. Dubé

26 Attorney signing

27 A. DANIEL BACALSKI, JR.
28 DOUGLAS A. DUBÉ
Attorneys for Defendants
ZENITH CAPITAL, LLC, MICHAEL GREGORY
SMITH, and MARTEL JED COOPER

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Dated: May 13, 2011

By: /s/ Peta L. Hallisey
Attorney signing

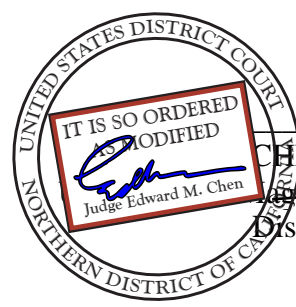
PETA L. HALLISEY
Attorney for Defendants
MICHAEL GREGORY SMITH, and
MARTEL JED COOPER

Dated: May 13, 2011

By: /s/ Rick L. Tasker
RICK LANE TASKER, *In Pro Se*

IT IS SO ORDERED. A joint CMC statement shall be filed by May 25, 2011.

Date: May 17, 2011



CHEN
Magistrate Judge
District

CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2011 a copy of the foregoing Request/Stipulation by Parties to Change Date and Conduct Case Management Conference by Telephone and [Proposed] Order was filed electronically. Pursuant to General Order No. 45, Section IX.A, notice of this filing will be sent to all parties, except *In Pro Se* Defendant Rick Lane Tasker, via the Court's electronic filing system. A copy of the foregoing will be served on *In Pro Se* Defendant Rick Lane Tasker by email. Parties, except *In Pro Se* Defendant Tasker, may access this filing through the Court's electronic filing system.

/s/ Wayne R. Berry

WAYNE R. BERRY
Senior Trial Attorney