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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 DON CAMPBELL, DAVID GREGERSEN,
17 PETE HALVER, SEAN KYLE, MATT
18 MALOON, DAVID SMITH, BRIAN
19 STEWART and VICTOR UNO, in their
20 capacities as Trustees of the IBEW Local 595
21 Pension Trust

20 Plaintiffs,

21 vs.

22 MARANA BENEFITS ADMINISTRATION,
23 INC., a California corporation, and PETER J.
24 MARANA, an individual,

25 Defendants.

Case No: C08-05731-EDL

**UPDATED JOINT CASE
MANAGEMENT STATEMENT AND
MOTION FOR CONTINUANCE OF
5/26/09 FURTHER CMC
AND ORDER THEREON**

1 The undersigned parties submit the following Updated Joint Case Management
2 Conference Statement:

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4 The undersigned parties submit that since the Case Management Conference held on
5 March 31, 2009 the parties have had extensive settlement discussions and believe that they are
6 very close to finalizing a complete settlement of this matter. However, the parties do not believe
7 that such a settlement will be finalized by May 26, 2009 (the date of the further case management
8 conference).

9 WHEREFORE, based upon the foregoing, the parties, by and through their undersigned
10 counsel, hereby request a continuance of the further Case Management Conference (currently
11 scheduled for May 26, 2009 at 10:00 a.m.) until June 30, 2009 at 10:00 a.m. The parties
12 reasonably believe that they can effectuate a settlement of this matter prior to that date, thus
13 rendering further case management conference to be unnecessary.

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16 Dated: May 20, 2009

Respectfully submitted:

LEONARD CARDER, LLP

By: /s/ Shawn C. Groff
Shawn C. Groff

ATTORNEYS FOR PLAINTIFFS

GORDON & REES, LLP

By: /s/ Mark Russell
Mark Russell

ATTORNEYS FOR DEFENDANTS

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24 **IT IS SO ORDERED.**

25 Dated: May 21, 2009

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