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6 Attorneys for Plaintiff
 BAY AREA PAINTERS AND TAPERS
 7 PENSION TRUST FUNDS, et al.

8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10

11 BAY AREA PAINTERS AND TAPERS
 PENSION TRUST FUND, et al.,
 12
 13 Plaintiffs,
 14 v.
 15 NUNN BETTER PAINTING, INC., a
 California Corporation,
 16
 17 Defendant.

Case No.: C09-0245 BZ
**REQUEST FOR CONTINUANCE OF
 CASE MANAGEMENT CONFERENCE**
 Date: January 11, 2010
 Time: 4:00 p.m.
 Courtroom: G, 15th Floor
 Judge: Magistrate Judge Bernard
 Zimmerman

18 Plaintiffs respectfully request that the Case Management Conference currently scheduled
 19 for January 11, 2010, at 4:00 p.m., be continued for approximately sixty (60) days, as follows:

- 20 1. A Complaint was filed in this action on January 21, 2009, to compel an audit of
 21 Defendant’s records by the Plaintiffs.
- 22 2. Thereafter and before service was effected, Defendant did schedule an audit with
 23 the Funds’ auditor, who reviewed the necessary documents. On that basis, the Court extended
 24 time for service until September 21, 2009.
- 25 3. This Court granted a second extension for service, to December 1, 2009, to allow
 26 time to complete the audit analysis of Defendant’s payroll records, and any discussion and
 27 payment, and to then determine if service of this action was necessary.

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PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 44 Montgomery Street, Suite 2110, San Francisco, California 94104.

On January 4, 2010, I served the following document(s):

REQUEST FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE

on the interested parties in said action by First Class U.S. Mail, by placing a true and exact copy of each document in a sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San Francisco, California, addressed as follows:

**Ronald Nunn
Agent of Service of Process
Nunn Better Painting, Inc.
2908 Spanish Bay Drive
Brentwood, California 94513**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 4th day of January, 2010, at San Francisco, California.

_____/s/_____
Qui X. Lu