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6 Attorneys for Plaintiffs

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
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11	THE BOARD OF TRUSTEES, in their)	No. C 09 0581 SI
	capacities as Trustees of the LABORERS)	
12	HEALTH AND WELFARE TRUST FUND)	
	FOR NORTHERN CALIFORNIA;)	
13	LABORERS VACATION-HOLIDAY TRUST)	EX PARTE APPLICATION FOR
	FUND FOR NORTHERN CALIFORNIA;)	CONTINUANCE OF CASE
14	LABORERS PENSION TRUST FUND FOR)	MANAGEMENT CONFERENCE;
	NORTHERN CALIFORNIA; and LABORERS)	(PROPOSED) ORDER
15	TRAINING AND RETRAINING TRUST)	
	FUND FOR NORTHERN CALIFORNIA,)	
16)	
	Plaintiffs,)	
17)	
	v.)	
18)	
	MELINDA SWAFFORD, Individually;)	
19	MELINDA SWAFFORD, Individually and)	
	doing business as SWAFFORD SWEEPING,)	
20	and SWAFFORD SWEEPING,)	
)	
21	Defendants.)	

22 **TO: THE CLERK OF THE COURT AND DEFENDANT RMT LANDSCAPE**
 23 **CONTRACTORS, INC., A California Corporation:**

24 Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the initial case
 25 management conference scheduled for May 15, 2009 be continued for ninety days.

26 Plaintiffs served Defendants with the complaint on March 29, 2009, for which proofs of
 27 service were filed before this Court with the Summons evidencing such service on April 8, 2009.

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EX PARTE APPLICATION FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE; (PROPOSED)
 ORDER

1 Given that Defendants have not responded to the Complaint, Plaintiffs filed a Request for Entry of
2 Default. Default was entered against Defendants on April 24, 2009. Plaintiffs will be filing a
3 Motion for Default Judgment in the coming weeks and thus request that the Case Management
4 Conference be continued for ninety days.

5 The above stated facts are set forth in the accompanying declaration of Concepción E.
6 Lozano-Batista in Support of Ex Parte Application to Continue Case Management Conference,
7 filed herewith.

8 Dated: April 24, 2009

9 WEINBERG, ROGER & ROSENFELD
10 A Professional Corporation

11 By: _____/s/_____
12 CONCEPCIÓN E. LOZANO-BATISTA

13 117117/528585

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16 **ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

17 Based upon the foregoing Ex Parte Application for Continuance of Case Management
18 Order and Declaration of Concepción E. Lozano-Batista in Support of Ex Parte Application to
19 Continue Case Management Conference, the Court orders a continuance of the case management
20 conference for ninety days. In addition, the Court Orders:

21
22 DATED: _____



23
24 HONORABLE JAMES LARSON Susan Illston
JUDGE OF THE DISTRICT COURT

25 The case management conference is continued to August 21, 2009,
26 at 2:30 p.m.