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UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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DISTRICT COUNCIL 16 NORTHERN
 12 CALIFORNIA HEALTH AND WELFARE
 TRUST FUND, et.al.,

Case No.: C09-2241 SI

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Plaintiffs,

**PLAINTIFFS' REQUEST TO CONTINUE
 CASE MANAGEMENT CONFERENCE**

14

v.

Date: August 13, 2010

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M B FLOORING, INC.,

Time: 2:30 p.m.

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Defendant.

Location: Ctrm. 10, 19th Floor

Judge: The Honorable Susan Illston

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19 Plaintiffs herein respectfully submit their Request to Continue the current Case
 20 Management Conference:

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1. As the Court's records will reflect, Defendant filed its Case Management
 22 Conference Statement, advising that Defendant intends to file for Bankruptcy by August 16, 2010.

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The Case Management Conference is currently scheduled for August 13, 2010

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2. Plaintiffs therefore respectfully request that the Case Management Conference be
 25 continued by a minimum of one week, to allow Defendant to file its Petition. In the event that
 26 Defendant files, Plaintiffs will file a Request for Automatic Stay. In the event that Defendant does
 27 not, the parties will participate in the Case Management Conference to ascertain whether
 28 mediation is an option for resolution of the claims herein.

PLAINTIFFS' REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE

CASE NO.: C09-2241 SI

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1 3. It is also requested that Plaintiffs' counsel be permitted to appear by telephone for
2 the Case Management Conference (in the event that a conference is required) to keep fees and
3 costs at a minimum as recovery is questionable at best.

4 Respectfully submitted,

5 Dated August 9, 2010

SALTZMAN & JOHNSON LAW
CORPORATION

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/S/Michele R. Stafford
Michele R. Stafford
Attorneys for Plaintiffs

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10 IT IS SO ORDERED.

11 The Case Management Conference is hereby continued to 8/27/10. Plaintiffs are hereby
12 granted permission to appear telephonically at the Case Management Conference.

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Dated: _____


THE HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE

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15 Counsel shall make arrangements with the clerk to appear by phone.

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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 August 9, 2010, I served the following document(s):

PLAINTIFFS' REQUEST TO CONTINUE 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:

**Brian O'Dea, Esq.
Randick O'Dea and Tooliatos
5000 Hopyard Road, Suite 400
Pleasanton, California 94588**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 9th day of August, 2010, at San Francisco, California.

_____/S/_____
Vanessa de Fábrega