

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE SHEET  
METAL WORKERS, et al.,

Plaintiffs,

v.

R. G. MUSTAIN HEATING AND AIR  
CONDITIONING, a California corporation,

Defendant

No. C-09-2310 MMC

**ORDER GRANTING PLAINTIFFS'  
APPLICATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE;  
SETTING DEADLINE TO SERVE  
DEFENDANT**

Before the Court is plaintiffs' "Ex Parte Application for Order to Continue Case Management Conference," filed September 2, 2009, by which plaintiffs seek an order continuing the Case Management Conference from September 11, 2009 to December 11, 2009.


Having read and considered the application, the Court finds good cause exists to continue the Case Management Conference. Specifically, plaintiffs have not yet served defendant. Accordingly, the application is hereby GRANTED, and the Case Management Conference is hereby CONTINUED from September 11, 2009 to December 11, 2009. A Joint Case Management Statement shall be filed no later than December 4, 2009.

Further, the Court DIRECTS plaintiffs to serve defendant with the summons and complaint no later than October 23, 2009, and to file proof of such service no later than

1 October 30, 2009. If, as of October 30, 2009, plaintiffs have neither filed proof of such  
2 service nor obtained, for good cause shown, a further extension of time to serve  
3 defendant, the above-titled action will be dismissed without prejudice. See Fed. R. Civ. P.  
4 4(m).

5 **IT IS SO ORDERED.**

7 Dated: September 4, 2009

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8 MAXINE M. CHESNEY  
9 United States District Judge

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