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28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIATHE BOARD OF TRUSTEES OF THE  
SHEET METAL WORKERS HEALTH  
CARE PLAN OF NORTHERN  
CALIFORNIA, *et al.*,

Plaintiffs,

v.

JOSE RODNEY VIGIL,

Defendant.  
\_\_\_\_\_ /

No. C-09-5138 EMC

**ORDER FOR SUPPLEMENTAL  
BRIEFING AND VACATING MARCH  
30, 2011 MOTION HEARING**

A hearing on Plaintiffs' Motion for Default Judgment is currently scheduled for March 30, 2011. That hearing is hereby **VACATED**. Plaintiffs are directed to file with the Court a supplemental brief providing authority for the proposition that Defendant was subject to a binding Union Agreement for the period from July 1, 2006 to June 30, 2010 notwithstanding the fact that he apparently did not sign the Agreement for this period, by virtue of his "adher[ence] to its terms and conditions, including the payment of trust fund contributions to [P]laintiffs." *See* Compl. ¶ 2. The supplemental brief shall be due no later than March 7, 2011. The Court will take the matter under submission thereafter.

IT IS SO ORDERED.

Dated: February 25, 2011

  
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EDWARD M. CHEN  
United States Magistrate Judge