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6 Attorneys for Plaintiffs

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10 UNITED STATES DISTRICT COURT  
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 BAY AREA PAINTERS AND TAPERS  
 PENSION TRUST FUND, et al.  
 14 Plaintiffs,  
 15 v.  
 16 BARBARA JEAN BANKS, individually and  
 dba B & C PAINTING AND DECORATING,  
 17 Defendant.  
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Case No.: C10-0024 EMC  
**REQUEST TO CONTINUE CASE  
 MANAGEMENT CONFERENCE;  
 [PROPOSED] ORDER THEREON**  
 Date: August 25, 2010  
 Time: 1:30 p.m.  
 Ctrm: C, 15<sup>th</sup> Floor  
 Judge: The Honorable Edward M. Chen

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Plaintiffs herein respectfully submit their Request to Continue the Case Management Conference, currently on calendar for August 25, 2010, for approximately 90 days.

1. Following Plaintiffs’ Case Management Statement and Request for Continuance of Case Management Conference filed on June 10, 2010, Defendant has made several small and sporadic payments towards the \$8,703.12 balance due (plus 5% per annum interest from March 6, 2010), including one payment of \$2,000.00 which failed to clear the bank due to insufficient funds.

2. Proceeding with a Motion for Default Judgment which would entail significant additional attorneys’ fees, and thereby extend collection time and expense in an attempt to satisfy

1 such Judgment. Plaintiffs would prefer to continue to attempt resolution of the outstanding  
2 amounts with Defendant, who does make periodic payments to Plaintiffs.

3 3. Accordingly, Plaintiffs respectfully request that the Case Management Conference,  
4 currently scheduled for August 25, 2010, be continued for 90 days to allow resolution of  
5 remaining amounts to be paid, as well as the audit. If resolved, Plaintiffs will dismiss this action.

6 4. There are no issues that need to be addressed by the parties at the currently  
7 scheduled Case Management Conference. In the interest of conserving costs as well as the Court's  
8 time and resources, Plaintiffs respectfully request that the Court continue to currently scheduled  
9 Case Management Conference.

10 I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above  
11 entitled action, and that the foregoing is true of my own knowledge.

12 Executed this 18th day of August, 2010, at San Francisco, California.

13 SALTZMAN & JOHNSON  
14 LAW CORPORATION

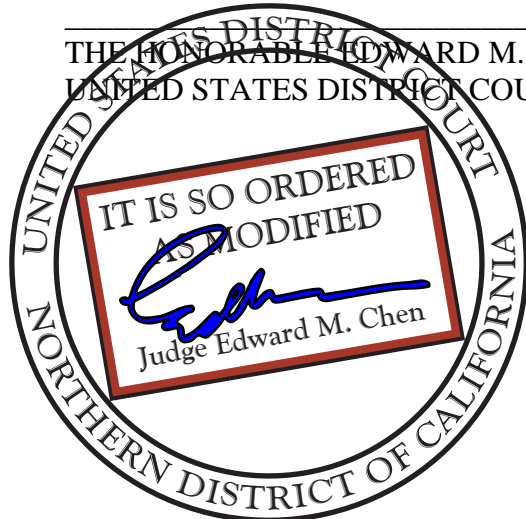
15 By: /S/Muriel B. Kaplan  
16 Muriel B. Kaplan  
Attorneys for Plaintiffs

17 IT IS SO ORDERED.

18 The currently set Case Management Conference is hereby continued to  
19 12/8/10 at 1:30 p.m., and all previously set deadlines and  
20 dates related to this case are continued accordingly. Plaintiffs is ordered to serve a copy of this order  
upon defendant immediately.

21 Date: 8/19/10

22 THE HONORABLE EDWARD M. CHEN  
UNITED STATES DISTRICT COURT JUDGE



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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 18, 2010, I served the following document(s):

**REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER THEREON**

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:

**Barbara Jean Banks  
Individually and dba B & C Painting  
and Decorating  
4026 – 3rd Street #301  
San Francisco, California 94124**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 18th day of August, 2010, at San Francisco, California.

\_\_\_\_\_/S/\_\_\_\_\_  
Vanessa de Fábrega