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6 Attorneys for Plaintiffs

7  
 8 UNITED STATES DISTRICT COURT  
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 GIL CROSTHWAITE and RUSS BURNS, in their  
 respective capacities as Trustees of the  
 11 OPERATING ENGINEERS’ HEALTH AND  
 WELFARE TRUST FUND, et al.,  
 12  
 Plaintiffs,  
 13  
 v.  
 14 PAUL T. BECK CONTRACTORS, INC., a  
 15 California corporation,  
 16 Defendant.

Case No.: C10-0151 SC

**JOINT CASE MANAGEMENT  
 STATEMENT AND REQUEST FOR  
 CONTINUANCE**

Date: July 23, 2010  
 Time: 10:00 a.m.  
 Courtroom: 1, 17<sup>th</sup> Floor  
 450 Golden Gate Avenue  
 San Francisco, CA 94102  
 Judge: Honorable Samuel Conti

18 Plaintiffs and Defendant jointly request that the Case Management Conference currently  
 19 scheduled for July 23, 2010, at 10:00 a.m. be continued for approximately ninety (90) days, as  
 20 follows:

21 1. As the Court is aware, Plaintiffs and Defendant have been discussing resolution of  
 22 all amounts due to the Trust Funds as Defendant was contemplating receivership. There does not  
 23 appear to be a dispute as to what is owed, but it is uncertain what funds may be available.

24 2. The parties participated in multiple ADR telephone conferences with Daniel  
 25 Bolling, to ensure that the case was moving forward while Defendant was analyzing its financial  
 26 situation. Defendant was considering bankruptcy as an alternate to receivership if it was required.

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1           3.       The most recent ADR conference call was June 10, 2010. Defendant confirmed that  
2 it was not filing for bankruptcy and that a receiver was appointed. The receiver was going to begin  
3 valuing all of Defendant's assets to ascertain what funds would be available to pay Plaintiffs and  
4 other creditors. Mr. Bolling advised that based on the status he would recommend to the Court that  
5 the case be referred to mediation, but with an extended deadline so that the valuation could be  
6 completed.

7           4.       There is nothing to discuss at a Case Management Conference at the present time  
8 as the parties are cooperating with one another to move toward resolution. The only issue at  
9 present is the value of Defendant's assets, which is being ascertained at the current time.

10          5.       We therefore jointly request that the Case Management Conference be continued  
11 for ninety (90) days to allow the parties ample time to resolve this matter, or in the alternative, set  
12 and participate in alternative dispute resolution.

13 Dated: July 15, 2010

SALTZMAN & JOHNSON  
LAWCORPORATION

15 By: \_\_\_\_\_/s/\_\_\_\_\_  
16 Michele R. Stafford  
17 Attorneys for Plaintiffs

18 Dated: July 15, 2010

BOHNEN, ROSENTHAL & KREEFT

19 By: \_\_\_\_\_/s/\_\_\_\_\_  
20 Andrew B. Kreeft  
21 Attorneys for Defendant

22 IT IS SO ORDERED.

23       The currently set Case Management Conference is hereby continued to  
24 November 12, 2010 at 10:00 a.m.. All related deadlines are extended  
25 accordingly.

26 Date: July 19, 2010

