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 8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 GIL CROSTHWAITE and RUSS BURNS, in
 12 their respective capacities as Trustees of the
 OPERATING ENGINEERS’ HEALTH AND
 13 WELFARE TRUST FUND, et al.,
 14 Plaintiffs,
 15 v.
 16 FOSTER & SONS GENERAL
 ENGINEERING CONTRACTORS, INC., a
 17 California corporation,
 18 Defendant.
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Case No.: C10-0457 MMC
ORDER GRANTING
REQUEST FOR CONTINUANCE OF
CASE MANAGEMENT CONFERENCE;
DIRECTIONS TO PLAINTIFFS
 Date: May 28, 2010
 Time: 10:30 a.m.
 Location: 450 Golden Gate Avenue
 San Francisco, California
 Courtroom: 7, 19th Floor
 Judge: Honorable Maxine M. Chesney

21 Plaintiffs hereby submit their Request for Continuance of the current Case Management
 22 Conference scheduled for May 28, 2010 at 10:30 a.m. in Courtroom 7.

- 23 1. Default was entered as to Defendant on April 8, 2010.
 24 2. After default was entered, Plaintiffs were notified of amounts found due on an audit
 25 of Defendant’s payroll records for the period of January 1, 2007 through December 31, 2008.
 26 Plaintiffs are in the process of preparing an updated demand to include amounts found due on the
 27 audit. I will again offer Defendant a payment plan, spread over a 12 month period, to address all
 28 amounts currently known to be due to the Trust Funds.

1 3. Plaintiffs intend to file a Motion for Default Judgment if no response from
2 Defendant is received.

3 4. There is nothing for the Court to consider at this point.

4 5. Therefore, I respectfully request that the current Case Management Conference be
5 continued for 60 – 90 days to allow for Defendant’s response, or in the alternative, the preparation,
6 filing and hearing of the Motion.

7 Date: May 20, 2010

SALTZMAN & JOHNSON
LAW CORPORATION

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By: _____/s/_____
Michele R. Stafford
Attorneys for Plaintiffs

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12 ORDER

13 The Case Management Conference currently scheduled for May 28, 2010 at 10:30 a.m. is hereby
14 continued to September 3, 2010. Further, plaintiffs are hereby DIRECTED to file, no later
15 than June 25, 2010, a motion for default judgment or a statement indicating why they should not be
Date: May 21, 2010 required to do so.

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UNITED STATES DISTRICT COURT JUDGE

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