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6 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 BAY AREA PAINTERS AND TAPERS
 PENSION TRUST FUND, et al.,

Case No: C10-1043 JSW

11 Plaintiffs,

**PLAINTIFFS' CASE MANAGEMENT
 CONFERENCE STATEMENT and
 REQUEST TO CONTINUE CASE
 MANAGEMENT CONFERENCE;
 [PROPOSED] ORDER THEREON**

12 v.

13 DELTA CITY DRYWALL, INC., a California
 14 Corporation; and GREGORY DAVID
 MARTIN, individually,

Date: September 24, 2010

Time: 1:30 p.m.

Ctrm: 11, 19th floor,

Judge: The Honorable Jeffrey S. White

15 Defendants.

17 Plaintiffs herein respectfully submit their Case Management Statement, requesting that the
 18 Case Management Conference, currently on calendar for September 24, 2010, be continued for
 19 approximately 60 – 90 days.

20 1. As the Court's records will reflect, this action was filed on March 11, 2010 to
 21 compel Defendants' compliance with an audit of Defendants' records. Service on Defendants
 22 was effectuated on March 17, 2010. A Proof of Service of Summons was filed with the Court on
 23 March 24, 2010. Defendants failed to Answer or otherwise appear in this action and, pursuant to
 24 Plaintiffs' request, the Clerk entered Default against Defendant on April 9, 2010.

25 2. In order to allow time for Defendants to review and respond to the report
 26 concerning the audit of Defendants' payroll records, Plaintiffs requested that the Court continue
 27 the previous Case Management Conference set for June 25, 2010.

28 3. Since then, Plaintiffs have made a settlement offer to Defendants for payment of

1 contribution shortages and attorneys' fees and costs. Plaintiffs are awaiting Defendants' response
2 to the settlement offer.

3 4. Accordingly, Plaintiffs respectfully request that the Case Management Conference,
4 currently scheduled for September 24, 2010, be continued for 60 - 90 days to allow resolution of
5 remaining amounts to be paid. If resolved, Plaintiffs will dismiss this action. If resolution is not
6 reached within 30 days from today's date, Plaintiffs will promptly file a Motion for Default
7 Judgment.

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

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

14 Executed this 16th day of September, 2010, at San Francisco, California.

15 SALTZMAN & JOHNSON
16 LAW CORPORATION

17 By: _____/S/
18 Blake E. Williams
19 Attorneys for Plaintiffs

20 IT IS SO ORDERED.

21 The currently set Case Management Conference is hereby continued to
22 January 7, 2011 at 1:30 p.m., and all previously set deadlines and
23 dates related to this case are continued accordingly.

24 Date: September 17, 2010

25 
26 THE HONORABLE JEFFREY S. WHITE
27 UNITED STATES DISTRICT COURT JUDGE
28