

1 Muriel B. Kaplan, Esq. (SBN 124607)  
 Michele R. Stafford, Esq. (SBN 172509)  
 2 SALTZMAN & JOHNSON LAW CORPORATION  
 44 Montgomery Street, Suite 2110  
 3 San Francisco, CA 94104  
 (415) 882-7900  
 4 (415) 882-9287 – Facsimile  
 mkaplan@sjlawcorp.com  
 5 mstafford@sjlawcorp.com

6 Attorneys for Plaintiffs

7  
8

9 UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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

12 Plaintiffs,  
13 v.

14 ADVANCED INTERIOR SYSTEMS, INC., a  
California Corporation; and ROBERT LEE  
15 BROWN, an Individual,

16 Defendants.

Case No.: C10-1305 MMC

**JOINT REQUEST TO CONTINUE CASE  
MANAGEMENT CONFERENCE;  
OR ALTERNATIVELY, JOINT REQUEST  
TO APPEAR BY TELEPHONE**

Date: ~~September 10, 2010~~  
 Time: 10:30 a.m.  
 Ctrm: 7, 19th Floor  
 Judge: The Honorable Maxine M. Chesney

17

18 The parties hereby respectfully submit a Joint Request to Continue the Case Management  
19 Conference, currently scheduled for September 10, 2010 at 10:30 a.m.

20 1. As the Court’s records will reflect, this action was filed on March 29, 2010, to  
21 compel Defendants’ provision of certain documents for examination by ERISA Plaintiffs  
22 necessary to complete an audit of Defendants’ records for the period of January 1, 2006 through  
23 the date of audit, pursuant to the terms of the Collective Bargaining Agreement and the governing  
24 documents of the ERISA Plaintiffs.

25 2. Prior to the last scheduled Case Management Conference for July 9, 2010,  
26 Defendant agreed to do certain calculations needed to provide the information necessary to  
27 complete Plaintiffs’ audit. Defendant has now provided part of those calculations, which have  
28 been forwarded to Plaintiffs’ auditor for review. Defendant advised that because the calculations

1 have been very time consuming, they will need additional time to complete the remainder of the  
2 calculations. Upon completion, they too will be forwarded to Plaintiffs' auditor for review, and  
3 for a report to be issued.

4           3.       Accordingly, the parties hereto respectfully request that the Case Management  
5 Conference, currently scheduled for September 10, 2010, be continued for approximately 60 days  
6 to allow Defendants to provide Plaintiffs with the balance of their calculations; for the auditor to  
7 review and analyze those results; for an audit report to be issued and reviewed by Defendants; and  
8 for any necessary discussion between the parties to ensue, including payment of amounts found  
9 due, if any, and to arrange a payment plan if necessary. If the matter is thereby resolved, Plaintiffs  
10 will dismiss this action; if not, Plaintiffs will take further appropriate action, to be determined  
11 upon any dispute that is not otherwise resolved.

12 ///

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 4. There are no issues that need to be addressed by the parties at the currently  
2 scheduled Case Management Conference. In the interest of conserving costs as well as the Court's  
3 time and resources, the parties jointly request that the Court continue to currently scheduled Case  
4 Management Conference by approximately 60 days. In the event that it is not continued, the  
5 parties respectfully request that they both be permitted to appear by telephone to keep fees and  
6 costs at a minimum.

7 Date: September 3, 2010

**SALTZMAN & JOHNSON  
LAW CORPORATION**

8

9

By: \_\_\_\_\_ /S/  
Muriel B. Kaplan  
Attorneys for Plaintiffs

10

11

12 Date: September 3, 2010

**LAW OFFICE OF C. PATRICK STOLL**

12

13

By: \_\_\_\_\_ /S/  
Carl Patrick Stoll  
Attorneys for Defendant

14

15

ORDER

16

17

Based on the foregoing and GOOD CAUSE APPEARING, the Case Management  
Conference currently scheduled for September 10, 2010 is hereby continued to  
18 November 12, 2010. A Joint Case Management Conference Statement shall be  
filed one week prior to the new date.

19

20

~~OR~~

21

~~Based on the foregoing and GOOD CAUSE APPEARING the Case Management  
Conference currently scheduled for September 10, 2010 remains on calendar as set. Both parties  
22 are permitted to appear by telephone.~~

22

23

24 Date: September 7, 2010

  
\_\_\_\_\_  
THE HONORABLE MAXINE M. CHESNEY  
UNITED STATES DISTRICT COURT JUDGE

25

26

27

28