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6 Attorney for the Plaintiff
7 United States of America

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 **UNITED STATES OF AMERICA,**)
12)
13 Plaintiff,)

14 v.)

15)
16 **ANDREW McGREGOR,**)
17 Defendant.)

Case No. C 10-01587 M (JL)

**PLAINTIFF'S UPDATED CASE
MANAGEMENT STATEMENT
WITH CERTIFICATE OF SERVICE
BY MAIL ATTACHED**

Date : November 3, 2010

Time : 10:30 A. M.

Place: Magistrate Judge James Larson
Courtroom F
450 Golden Gate Avenue
San Francisco, CA

18
19 **Plaintiff submits its updated Case Management Statement as follows.**

20 **DESCRIPTION OF THE CASE**

21 **1. A brief description of the events underlying the action:**

22 Student loan totaling approximately \$138,090.42 as of September 14, 2010.

23 **2. UPDATE:** At the third CMC held September 22, 2010, the defendant agreed

24 to submit to counsel for plaintiff the required financial declaration/statement with the
25 settlement offer that he submitted to counsel for plaintiff prior to the September 22, 2010,
26 CMC.

27 Defendant also stated that he would formalize his retainer agreement with his
28 counsel.

1 By October 13, 2010, counsel for plaintiff received nothing, nor heard anything, from
2 the defendant or his alleged counsel.

3 On October 13, 2010, counsel for plaintiff mailed a letter to defendant reminding him
4 that his completed financial statement/declaration was due in plaintiff's counsel's office on
5 September 29, 2010. Counsel for plaintiff enclosed a copy of the court's minute order that
6 resulted from the September 22, 2010, CMC.

7 The time of the drafting of this plaintiff's CMC statement is 5:45 P.M., October 26,
8 2010. To date counsel for plaintiff has received nothing, nor heard anything, from the
9 defendant or from any alleged counsel for the defendant.

10 **3.** Based upon the continued failure of defendant to submit to counsel for
11 plaintiff the financial statement/declaration, the failure of defendant to respond in any
12 manner to counsel for plaintiff's October 13, 2010, letter, and the failure of defendant to
13 cause his alleged counsel to contact counsel for plaintiff, plaintiff requests:

14 (1) that the CMC calendared for November 3, 2010, be dropped from the court's
15 calendar so that no party be required to appear, and

16 (2) that the parties be given until November 24, 2010, to file a dispositive motion;

17 Respectively submitted,

18 Dated: October 26, 2010 _____ /s/
19 _____ M. COSENTINO, Counsel for the U.S.

20 The Case Management Conference is continued to December 29, 2010 at 10:30 a.m.

21
22 October 28, 2010



