

\*E-Filed 8/23/10\*

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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.,

Case No.: C10-1909 RS

**REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE**

12 Plaintiffs,

Date: August 26, 2010

13 v.

Time: 10:00 a.m.

14 PEAK ENGINEERING INC., a California  
 15 corporation,

Location: Courtroom 3, 17<sup>th</sup> Floor  
450 Golden Gate Avenue  
San Francisco, California

16 Defendant.

Judge: Honorable Richard Seeborg

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18 Plaintiffs herein respectfully request a Continuance of the Case Management Conference  
 19 currently on calendar for August 26, 2010 at 10:00 a.m.

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1. As the Court is aware, on July 27, 2010, default was entered against Defendant in  
 21 this matter.

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2. Plaintiffs are in the process of preparing a Motion for Default Judgment, which  
 23 Plaintiffs anticipate filing with the Court within the next three to four weeks. Accordingly,  
 24 Plaintiffs respectfully request that the Case Management Conference, currently scheduled for  
 25 August 26, 2010, be continued for ninety (90) days to allow disposition of the Motion.

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3. There are no issues that need to be addressed at the currently scheduled conference.

I declare under penalty of perjury that the foregoing is true and correct of my own personal knowledge and if called upon to testify, I could competently testify thereto.

Executed this 19th day of August, 2010, at San Francisco, California.

SALTZMAN & JOHNSON  
LAW CORPORATION

\_\_\_\_\_/s/\_\_\_\_\_  
Michele R. Stafford  
Attorneys for Plaintiffs

**IT IS SO ORDERED:**

The Case Management Conference in this matter shall be continued to December 16, \_\_\_\_\_ 2010 at 10:00 a.m., and all other previously set dates shall be vacated, and reset at that time as necessary.

Dated: 8/23/10

  
\_\_\_\_\_  
UNITED STATES DISTRICT COURT JUDGE

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