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6 Attorneys for Plaintiffs

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 BOARD OF TRUSTEES OF THE  
LABORERS HEALTH AND WELFARE  
11 TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
12 THE LABORERS VACATION-HOLIDAY  
TRUST FUND FOR NORTHERN  
13 CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS PENSION TRUST FUND  
14 FOR NORTHERN CALIFORNIA; and  
BOARD OF TRUSTEES OF THE  
15 LABORERS TRAINING AND RETRAINING  
TRUST FUND FOR NORTHERN  
16 CALIFORNIA,

17 Plaintiffs,

18 v.

19 ELADIO PEREZ dba E & F DEMOLITION,

20 Defendant.

Case No.: CV 10 2002 JL

**STATEMENT IN LIEU OF CASE  
MANAGEMENT STATEMENT; ORDER  
THEREON**

**Date: January 19, 2011  
Time: 10:30 a.m.  
Ctroom: F, 15<sup>th</sup> Floor  
Hon. James Larson**

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22 Plaintiffs Laborers Trust Funds filed their First Amended Complaint against Eladio  
23 Perez dba E & F Demolition on May 24, 2010. Defendant Perez was served with the First  
24 Amended Complaint on May 26, 2010. A responsive pleading was due on or before June 15,  
25 2010. Plaintiffs attempted to resolve this matter informally, allowing Defendant an additional  
26 30 days to respond to the Complaint (per Court Order executed on June 24, 2010).  
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1 On July 29, 2010, Plaintiffs filed their Second Amended Complaint. Defendant was  
2 served the same day, July 29. Once again, Plaintiffs attempted to informally settle this matter  
3 with Defendant. Defendant broke off settlement discussions.

4 No responsive pleading has been filed. Plaintiffs will proceed in default. However,  
5 Plaintiffs recently recovered \$50,000 and additional monies may be recovered which will be  
6 applied to the outstanding debt.

7 Plaintiffs, having been unable to secure additional recovery without court intervention,  
8 respectfully request that the Case Management Conference be continued for 30 days to allow  
9 Plaintiffs to file their Motion for Default Judgment.

10 DATED: January 12, 2011

11 BULLIVANT HOUSER BAILEY PC

12  
13 By   
14 Ronald L. Richman  
Susan J. Olson

15 Attorneys for Plaintiffs

16 **ORDER**

17 Pursuant to Plaintiffs' request and good cause appearing:

18 IT IS HEREBY ORDERED that the Case Management Conference be continued to  
19 February 23, 2011, Courtroom F, 15<sup>th</sup> Floor at 10:30 a.m. If a motion for default  
20 judgment is filed on or before this date, the Case Management Conference shall be vacated.

21 DATED: January <sup>13</sup> \_\_, 2011

22  
23 By   
24 HON. JAMES LARSON  
25 UNITED STATES MAGISTRATE JUDGE

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