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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 PEAK ENGINEERING, INC., a California
corporation;

20 Defendant.
21

Case No.: CV10-2303 JCS

**CASE MANAGEMENT CONFERENCE
STATEMENT; ORDER THEREON**

Date: September 3, 2010
Time: 1:30 p.m.
Ctroom: A, 15th Floor
Hon. Joseph C. Spero

22 Plaintiffs Laborers Trust Funds filed their Complaint For Damages for Breach of
23 Collective Bargaining Agreement, To Recover Unpaid Trust Fund Contributions, For Breach of
24 Fiduciary Duty and For A Mandatory Injunction (“Complaint”) against Defendant Peak
25 Engineering, Inc. on May 26, 2010 seeking to recover employee fringe benefit contributions on
26 behalf of Peak Engineering, Inc.’s covered employees. The Complaint was served on defendant
27 Peak Engineering, Inc. on June 25, 2010.

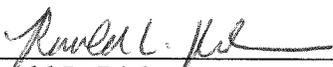
28 Peak Engineering, Inc. failed to file a responsive pleading.

1 On August 27, 2010 Plaintiffs filed their Request for Clerk's Entry of Default. Plaintiffs
2 intend to proceed via a motion for default judgment. Plaintiffs anticipate that the motion will be
3 filed within the next 45 days.

4 Based on the above, Plaintiffs respectfully request that the Case Management
5 Conference be continued for 45 days to allow sufficient time for the filing of a motion for
6 default judgment.

7 DATED: August 27, 2010

8 BULLIVANT HOUSER BAILEY PC

9
10 By 
11 Ronald L. Richman
Susan J. Olson

12 Attorneys for Plaintiffs

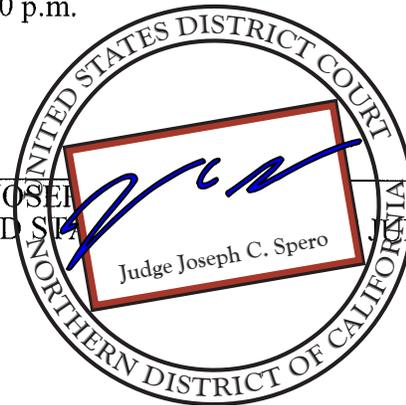
13 **ORDER**

14 Pursuant to Plaintiffs' request and good cause appearing:

15 IT IS HEREBY ORDERED that the Case Management Conference be continued to
16 October 22, 2010, Courtroom A, 15th Floor at 1:30 p.m.

17 DATED: August 30, 2010

18
19 By 
20 HON. JOSEPH C. SPERO
21 UNITED STATES DISTRICT COURT
22 JUDGE



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