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8 Attorneys for Plaintiffs

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 TRUSTEES OF THE BRICKLAYERS LOCAL ) CASE NO. CV 10-4056 EMC  
 12 NO. 3 PENSION TRUST; TRUSTEES OF THE )  
 13 LOCAL NO. 7 PENSION TRUST; TRUSTEES )  
 14 OF THE BRICKLAYERS LOCAL NO. 3 ) PLAINTIFFS' REQUEST TO  
 15 HEALTH AND WELFARE TRUST; TRUSTEES ) CONTINUE CASE MANAGEMENT  
 16 OF THE BRICKLAYERS AND ALLIED ) CONFERENCE;  
 17 CRAFTS LOCAL NO. 3 APPRENTICE ) [proposed] ORDER RESETTING CASE  
 18 TRAINING TRUST; INTERNATIONAL UNION ) MANAGEMENT CONFERENCE  
 19 OF BRICKLAYERS AND ALLIED )  
 20 CRAFTSMEN, AFL-CIO, LOCAL UNION NO. 3, )  
 21 on behalf of itself and as agent for its members; )  
 22 TRUSTEES OF THE INTERNATIONAL UNION )  
 23 OF BRICKLAYERS AND ALLIED )  
 24 CRAFTSMEN PENSION FUND, )

25 Plaintiffs,

26 vs.

27 TOP GUN ARCHITECTURAL FINISHES )  
 28 INCORPORATED, a California corporation; )  
 AMERICAN CONTRACTORS INDEMNITY )  
 COMPANY, a California corporation; )

Date: September 30, 2011  
 Time: 9:00 a.m.  
 Courtroom: 5, 17<sup>th</sup> Floor  
 (San Francisco)

Defendants.

Pursuant to this Court's Civil Local Rule 16-9 and FRCivP 16(b), Plaintiffs hereby  
 submit this Case Management Statement And Proposed Order.

Plaintiffs respectfully request that the Court continue the Case Management Conference

1 currently scheduled for September 30, 2011 for 75 days, until December 16, 2011, for the  
2 following reasons.

3 Judgment was entered as to Defendant Top Gun Architectural Finishes (“Top Gun”) on  
4 July 12, 2011.

5 Plaintiffs and Defendant American Contractors Indemnity Company (“ACIC”) are  
6 negotiating a settlement. Plaintiffs anticipate filing a request for dismissal of ACIC within 30  
7 days. Should Plaintiffs and ACIC fail to settle the dispute, a 75 day continuance will allow  
8 sufficient time for Plaintiffs to request the default of ACIC and move for default judgment.

9  
10 Respectfully submitted,

11 Katzenbach & Khtikian

12 Dated: September 26, 2011

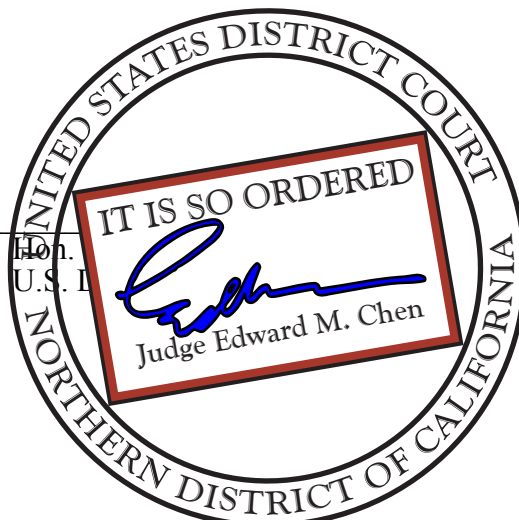
13 By: /s/ Conor Mack  
14 Conor D. Mack  
15 Attorneys for Plaintiffs

16 **[~~proposed~~] ORDER**

17 Good cause appearing, the Court hereby orders that the Case Management Conference  
18 scheduled for September 30, 2011 is rescheduled for December 16, 2011 at 9:00 a.m. A joint  
19 case management conference statement shall be filed no later than December 9, 2011.

20 IT IS SO ORDERED

21  
22  
23  
24 Dated: 9/27/11



1 PROOF OF SERVICE BY MAIL

2 I am a resident of the County of San Francisco, California. I am over the age of eighteen  
3 years and not a party to this action. My business address is Katzenbach and Khtikian, 1714  
4 Stockton Street, Suite 300, San Francisco, California 94133. I served the within:

5 1. PLAINTIFFS' REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE;  
6 [proposed] ORDER RESETTING CASE MANAGEMENT CONFERENCE

7 on the parties remaining in the action herein, by placing a true copy thereof enclosed in a sealed  
8 envelope with first class postage thereon fully prepaid in the United States Mail at San  
9 Francisco, California, on September 26, 2011 addressed as follows:

10 Gregory D. McDonald, Esq.  
11 Old Bank of America Building  
12 12 S. First St., Ste. 417  
San Jose, CA 95113

13 Attorney for Defendants American Contractors Indemnity Company

14  
15 I declare under penalty of perjury that the foregoing is true and correct, and that this  
16 declaration was executed on September 26, 2011.

17  
18 /s/ Steve Raby  
Steven Raby