

1 **Thomas P. Riley, SBN 194706**
2 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
3 **First Library Square**
4 **1114 Fremont Avenue**
5 **South Pasadena, CA 91030**

6 **Tel: 626-799-9797**
7 **Fax: 626-799-9795**
8 **TPRLAW@att.net**

9 **Attorneys for Plaintiffs**
10 **J & J Sports Productions, Inc.**

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 **J & J SPORTS PRODUCTIONS, INC.,**

CASE NO. 4:10-cv-05510-SI

15 **Plaintiff,**

PLAINTIFF'S *EX PARTE*

16 **vs.**

APPLICATION FOR AN ORDER
VACATING THE CASE

17 **JAMES A. DAILEY, JR., et al.**

MANAGEMENT CONFERENCE; AND
ORDER (~~Proposed~~)

18 **Defendant.**

19 **TO THE HONORABLE SUSAN ILLSTON, THE DEFENDANTS, AND HIS**
20 **ATTORNEYS OF RECORD:**

21 Plaintiff J & J Sports Productions, Inc. hereby applies *ex parte* for an order vacating the Case
22 Management Conference in this action, presently set for Friday, July 29, 2011 at 2:30 P.M. This request
23 will be, and is, necessitated by the fact that defendant James A. Dailey, Jr., individually and d/b/a The
24 Dapper Sports Bar a/k/a Golden Bear Sport Bar is in default and Plaintiff's Application for Default
25 Judgment is currently pending before this Honorable Court.

26 As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive
27 pleading from the defendant. As a result, Plaintiff's counsel has not conferred with the defendant
28 concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the
case itself or the preparation of a Case Management Conference Statement.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE (SERVICE BY MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is 1114 Fremont Avenue, South Pasadena, California. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On July 21, 2011, I served:

PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER VACATING THE CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

James A. Dailey, Jr. (Defendant)
6508 Sunnymere Ave.
Oakland, CA 94605

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct, and that this declaration was executed on July 21, 2011, at South Pasadena, California.

Dated: July 21, 2011

/s/ Maria Baird
MARIA BAIRD