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11 Attorneys for Defendant
 Dun Engineering Services

12 UNITED STATES DISTRICT COURT

13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 F. G. CROSTHWAITE, et al., as Trustees of the
 15 OPERATING ENGINEERS' HEALTH AND
 WELFARE TRUST FUND, et al.

16 Plaintiffs,

17 v.

18 DUN ENGINEERING SERVICES, *aka* DUN
 ENGINEERING SERVICES, INC., a California
 19 corporation; and THOMAS PADILLA, individually,

20 Defendants.

Case No.: C11-1537 TEH

**JOINT CASE MANAGEMENT
 STATEMENT AND REQUEST FOR
 CONTINUANCE**

Date: July 11, 2011
 Time: 1:30 p.m.
 Courtroom: 12, 19th Floor
 450 Golden Gate Avenue
 San Francisco, CA 94102

Judge: Honorable Thelton E. Henderson

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 22
 23 Plaintiffs and Defendant Dun Engineering Services “Dun Engineering” jointly request that
 24 the Case Management Conference currently scheduled for July 11, 2011, at 1:30 p.m., be
 25 continued for approximately ninety (90) days, as follows:

- 26 1. This action was filed by Plaintiffs for contributions due by Defendants to the Trust
 27 Funds and to compel Defendants to comply with an audit of their payroll records.
 28 2. Shortly after service of the complaint, Defendants complied with the audit. The

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JOINT CASE MANAGEMENT STATEMENT AND REQUEST FOR CONTINUANCE

Case No.: C11-1537 TEH

1 auditor is in the process of analyzing the documents for preparation of an audit report. After the
2 report is completed, the auditor will send a draft copy to Defendants for review. In the event that
3 the Defendants oppose the findings, the parties will attempt to resolve the issues informally
4 through direct negotiations. If they are unable to do so, they will proceed with mediation and,
5 ultimately, trial.

6 3. Plaintiffs and Dun Engineering have agreed to mediation for the contributions
7 owed and both are willing to participate in the event that a resolution cannot be reached informally
8 through direct negotiations. The parties are waiting for the Court's referral and assignment to a
9 mediator.

10 4. On June 22, 2011, the Clerk entered default as to Defendant Thomas Padilla.

11 5. There is nothing to discuss at a Case Management Conference at the present time
12 as the parties are cooperating with one another to move toward resolution.

13 6. We therefore jointly request that the Case Management Conference be continued
14 for ninety (90) days to allow the parties ample time to prepare and attend the mediation.

15 Dated: July 1, 2011

SALTZMAN & JOHNSON
LAWCORPORATION

17 By: _____/s/_____
Michele R. Stafford
Attorneys for Plaintiffs

19 Dated: July 1, 2011

LANG, RICHERT AND PATCH

21 By: _____/s/_____
Matthew W. Quall
Attorneys for Defendant
Dun Engineering Services

23 IT IS SO ORDERED.

24 The currently set Case Management Conference is hereby continued to
25 October 17, 2011 at 1:30 p.m.. All related deadlines are extended
26 accordingly.

27 Date: 7/5/11

28 UNITED STATES DISTRICT COURT JUDGE



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PROOF OF SERVICE:

I, the undersigned, declare:

I am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 44 Montgomery Street, Suite 2110, San Francisco, California 94104.

On July 1, 2011, I served the following document(s) on the parties to this action in the manner described below:

JOINT CASE MANAGEMENT STATEMENT AND REQUEST FOR CONTINUANCE

XX **ELECTRONICALLY** by causing said document to be electronically filed using the Court’s Electronic Court Filing (“ECF”) System and service was completed by electronic means by transmittal of a Notice of Electronic Filing on the registered participants of the ECF System.

XX **MAIL**, being familiar with the practice of this office for the collection and the processing of correspondence for mailing with the United States Postal Service, and deposited in the United States Mail copies of the same to the business addresses as specified below, in a sealed envelope fully prepared.

To:

Matthew Warren Quall, Esq.
5200 N. Palm, Suite 400
Fresno, California 93704
VIA ECF
*Attorney for Dun Engineering Services
aka Dun Engineering Services, Inc.*

Thomas Padilla
1672 Monte Grosso Drive
Merced, California 95340
VIA MAIL

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 1st day of July, 2011, at San Francisco, California.

/s/
Qui X. Lu