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6 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 BAY AREA PAINTERS AND TAPERS  
 PENSION TRUST FUND, et al.,  
 11 Plaintiffs,  
 12 v.  
 13 AU TECHNOLOGIES, INC., a Michigan  
 14 Domestic Profit Corporation,  
 15 Defendant.

Case No.: C11-2958 CRB

**REQUEST TO CONTINUE CASE  
 MANAGEMENT CONFERENCE  
 and ~~PROPOSED~~ ORDER THEREON**

Date: May 11, 2012  
 Time: 8:30 a.m.  
 Location: 450 Golden Gate Avenue  
 San Francisco, CA  
 Ctrm: 6, 17<sup>th</sup> Floor  
 Judge: Honorable Charles R. Breyer

18 1. As the Court’s records will reflect, this action was filed on June 16, 2011 (Dkt. #1)  
 19 to compel Defendants’ compliance with its collective bargaining agreement. Service on  
 20 Defendant was effectuated on July 14, 2011. A Proof of Service of Summons was filed with the  
 21 Court on July 26, 2011 (Dkt. #9). Defendants failed to Answer or otherwise appear in this action  
 22 and, pursuant to Plaintiffs’ request, the Clerk entered Default against Defendants on August 15,  
 23 2011 (Dkt. #12). Defendant was duly served with a copy of the Clerk’s Notice of Default Entry,  
 24 and a Proof of Service of same was filed with the Court on August 16, 2011 (Dkt. #13).

25 2. The Court continued the previously set Case Management Conference to allow  
 26 time for the hearing and disposition of Plaintiff Trust Funds’ Motion for Default Judgment (Dkt.  
 27 #21-22), which was noticed the hearing for April 13, 2012, at 10:00 a.m., or as soon thereafter as  
 28 the matter may be heard by the Court.

1 3. As the Court's Minute Order (Dkt. #29) reflects, Plaintiffs' counsel appeared by  
2 telephone and Defendant failed to appear at the Motion for Default Judgment hearing, which went  
3 forward as scheduled on April 13, 2012, and the matter was taken under submission. That same  
4 day, the Court issued an Order (Dkt. #30) requiring Defendant to comply with an audit within 90  
5 days to determine the exact amount owed to Plaintiffs for unpaid contributions. The deadline for  
6 Defendant to do so is July 12, 2013.

7 4. There are still therefore no issues that need to be addressed at the currently  
8 scheduled Case Management Conference. In the interest of conserving costs as well as the Court's  
9 time and resources, Plaintiffs respectfully request that the Case Management Conference,  
10 currently scheduled for May 11, 2012, be continued for 120 days to allow Defendant to comply  
11 with the Order, and for Plaintiffs file a request with the Court for further Judgment.

12 I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above  
13 entitled action, and that the foregoing is true of my own knowledge.

14 Executed this 2nd day of May, 2012, at San Francisco, California.

15 SALTZMAN & JOHNSON  
16 LAW CORPORATION

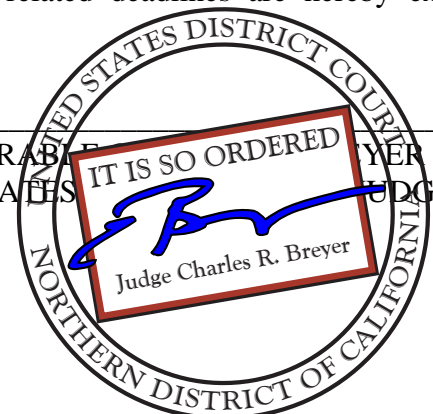
17 By: \_\_\_\_\_ /S/  
18 Blake E. Williams  
19 Attorneys for Plaintiffs

20 IT IS SO ORDERED.

21 The currently set Initial Case Management Conference is hereby continued to  
22 \_\_\_\_\_ September 7, 2012 \_\_\_\_\_ at \_\_\_\_\_ 8:30 a.m. \_\_\_\_\_. All related deadlines are hereby extended  
23 accordingly.

24 Date: \_\_\_\_\_ May 3, 2012 \_\_\_\_\_

25 THE HONORABLE \_\_\_\_\_ JUDGE  
26 UNITED STATES OF CALIFORNIA



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