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8 Attorneys for Plaintiffs

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11

12 THE BOARD OF TRUSTEES, in their  
 capacities as Trustees of the LABORERS  
 13 HEALTH AND WELFARE TRUST FUND  
 FOR NORTHERN CALIFORNIA;  
 14 LABORERS VACATION-HOLIDAY TRUST  
 FUND FOR NORTHERN CALIFORNIA;  
 15 LABORERS PENSION TRUST FUND FOR  
 NORTHERN CALIFORNIA; and LABORERS  
 16 TRAINING AND RETRAINING TRUST  
 FUND FOR NORTHERN CALIFORNIA,  
 17

No. C 12-05322 JSW

**EX PARTE APPLICATION FOR  
 CONTINUANCE OF CASE  
 MANAGEMENT CONFERENCE;  
 18 ~~(PROPOSED)~~ ORDER**

19 Plaintiff,

20 v.

21 TIM KRUSE CONSTRUCTION, INC., a  
 California Corporation,  
 22

23 Defendant.

24  
 25 **TO: THE CLERK OF THE COURT AND DEFENDANT TIM KRUSE  
 26 CONSTRUCTION, INC., A California Corporation:**

27 Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the initial Case  
 28 Management Conference, currently scheduled for February 6, 2013 at 1:30 p.m., be continued for

1 sixty days to allow Plaintiffs additional time to serve Defendant with the Summons and  
2 Complaint.

3 Plaintiffs filed the Complaint in this matter on October 16, 2012. Defendant was served  
4 on November 15, 2012, for which proofs of service were filed with this Court on November 27,  
5 2012. Defendant has not filed an Answer or other responsive pleading in this matter, and  
6 Plaintiffs will be requesting entry of Default and then moving for Default Judgment. Given these  
7 facts, Plaintiffs request that Case Management Conference be continued for sixty days in order to  
8 allow Plaintiffs to prepare and file a Motion for Default Judgment.

9 The above stated facts are set forth in the accompanying Declaration of Daniel S. Brome  
10 in Support of Ex Parte Application to Continue Case Management Conference, filed herewith.

11 Dated: February 11, 2013

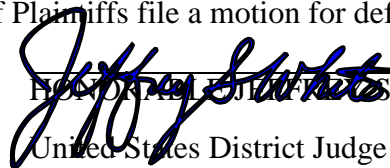
12  
13 WEINBERG, ROGER & ROSENFELD  
A Professional Corporation

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15 By: /s/ Daniel S. Brome  
DANIEL S. BROME  
Attorneys for Plaintiffs

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18 **ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

19 Based upon the foregoing Ex Parte Application for Continuance of Case Management  
20 Order and Declaration of Daniel S. Brome in Support of Ex Parte Application to Continue Case  
21 Management Conference, the Court orders a continuance of the Case Management Conference  
22 ~~for 60 days, or as soon thereafter as a court date is available. In addition, the Court orders~~  
23 from February 15, 2013 to April 19, 2013. A case management statement shall be due on or before  
24 April 12, 2013. If default is entered, and if Plaintiffs file a motion for default judgment, the Court shall  
25 ~~date:~~ the case management conference.

26 February 12, 2013

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HONORABLE JEFFREY S. WHITE  
United States District Judge

132515/703930