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7
8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 F. G. CROSTHWAITE, et al.,

11 Plaintiffs,

12 v.

13 TIM KRUSE CONSTRUCTION, INC., a
California Corporation,

14 Defendant.
15
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Case No.: C13-0496 JSW

**PLAINTIFFS' REQUEST FOR
CONTINUANCE OF CASE
MANAGEMENT CONFERENCE; and
[PROPOSED] ORDER THEREON**

Date: Friday, May 10, 2013

Time: 1:30 p.m.

Ctrm: 11, 19th Floor

450 Golden Gate Avenue

San Francisco, California

Judge: The Honorable Jeffrey S. White

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18 Plaintiffs respectfully request that the Case Management Conference scheduled for May
19 10, 2013, at 1:30 p.m., be continued for approximately ninety (90) days, as follows:

20 1. As the Court's records will reflect, this action was filed on February 5, 2013 to
21 compel Defendant to comply with the terms of its Collective Bargaining Agreement.

22 2. Plaintiffs served the complaint, summons, and court documents on Defendant on
23 February 22, 2013. Defendant failed to answer by the March 15, 2013 deadline, and Plaintiffs
24 requested Entry of Default, which was entered by the court on March 29, 2013.

25 3. Defendant's principal contacted Plaintiffs' counsel on May 1, 2013 and claimed he
26 was unaware of the lawsuit and Plaintiffs' prior correspondence, both of which were sent to
27 Defendant's office. Plaintiffs served the Request for Entry of Default to Defendant's principal's
28

1 home, where he did receive it, and thereafter contacted Plaintiff's counsel with hopes to resolve
2 the matter. He is to again contact Plaintiffs' counsel upon review of the amounts due.

3 4. In the event that Defendant fails to provide payment of all amounts owed, or to
4 enter into a payment plan, Plaintiffs will file a Motion for Default Judgment.

5 5. There are no issues that need to be addressed by this Court at the currently
6 scheduled Case Management Conference. In the interest of conserving costs as well as the Court's
7 time and resources, Plaintiffs respectfully request that the Court continue the currently scheduled
8 Case Management Conference for approximately ninety (90) days, in order to allow for sufficient
9 time to attempt resolution of this matter.

10 6. Plaintiffs recognize that a case management conference statement is due seven days
11 in advance of the case management conference date and that the statement must include all
12 elements requested in the "Standing Order for All Judges of the Northern District of California –
13 Contents of Joint Case Management Statement" pursuant to Local Rule 16-9. Should this Court
14 require Plaintiffs to file a Case Management Conference Statement, Plaintiffs will do so promptly.

15 Dated: May 3, 2013

**SALTZMAN & JOHNSON
LAW CORPORATION**

17 By: _____ /S/
18 Muriel B. Kaplan
19 Attorneys for Plaintiffs

20 IT IS SO ORDERED.

21 Based on the foregoing, and GOOD CAUSE APPEARING, the currently set Case
22 Management Conference is hereby continued to August 9, 2013, and all related deadlines are
23 extended accordingly.

24 Date: May 7, 2013

25 
26 THE HONORABLE JEFFREY S. WHITE
27 UNITED STATES DISTRICT COURT

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