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6 Attorneys for Plaintiffs

7 UNITED STATES DISTRICT COURT

8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 F. G. CROSTHWAITE, et al.,

10 Plaintiffs,

11 v.

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

13 Defendant.

Case No.: C13-0496 JSW

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

Date: Friday, November 15, 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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 17 Plaintiffs respectfully request that the Case Management Conference scheduled for
 18 November 15, 2013, at 1:30 p.m., be continued for approximately sixty (60) days, as follows:

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

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

25 3. Defendant asked for time to review its records regarding amounts due to Plaintiffs.
 26 Plaintiffs requested a continuance of the Case Management Conference on May 3, 2013 (Dkt. No.
 27 16) to allow that time, and the Court granted Plaintiffs' request and issued an order continuing the
 28 Case Management Conference to August 9, 2013 (Dkt. No. 17).

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 REQUEST TO CONTINUE CMC
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1 4. Plaintiffs requested an additional continuance of the Case Management Conference
2 on August 2, 2013 (Dkt. No. 19), and the Court granted Plaintiffs' request and issued an order
3 continuing the Case Management Conference to October 11, 2013 (Dkt. No. 20).

4 5. Plaintiffs' counsel again attempted to contact Defendant before incurring further
5 expense in continuing legal action and in an attempt to resolve this matter. Defendant was out of
6 the office, so Plaintiffs left a message for Defendant requesting contact. In hopes of reaching a
7 resolution with Defendant, Plaintiffs requested another continuance of the Case Management
8 Conference on October 4, 2013 (Dkt. No. 22). The Court granted Plaintiffs' request and issued an
9 order continuing the Case Management Conference to November 15, 2013 (Dkt. No. 23).

10 6. Defendant contacted Plaintiffs' counsel, requested a payment plan for amounts due
11 to Plaintiffs, and submitted all the documentation necessary for preparation of the same. Plaintiffs'
12 counsel is currently drafting a Judgment Pursuant to Stipulation, so Plaintiffs therefore request
13 another continuance of the Case Management Conference. If Defendant signs the Judgment
14 Pursuant to Stipulation, Plaintiffs will promptly file it. If Defendant fails to sign the Judgment
15 Pursuant to Stipulation, Plaintiffs' counsel will prepare a Motion for Default Judgment against
16 Defendant.

17 7. There are no issues that need to be addressed by this Court at the currently
18 scheduled Case Management Conference. In the interest of conserving costs as well as the Court's
19 time and resources, Plaintiffs respectfully request that the Court continue the currently scheduled
20 Case Management Conference for approximately sixty (60) days, in order to allow for sufficient
21 time for Plaintiffs to draft a Judgment Pursuant to Stipulation and for the execution of the same by
22 both parties.

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

6 Dated: November 6, 2013

**SALTZMAN & JOHNSON
LAW CORPORATION**

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8 By: _____ /S/
Muriel B. Kaplan
9 Attorneys for Plaintiffs

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11 IT IS SO ORDERED.

12 Based on the foregoing, and GOOD CAUSE APPEARING, the currently set Case
13 Management Conference is hereby continued to January 10, 2014, and all related deadlines are
extended accordingly.

14 Date: November 12, 2013

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16 THE HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT COURT

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