

1 Michele R. Stafford, Esq. (SBN 172509)
2 Erica J. Russell, Esq. (SBN 274494)
3 SALTZMAN & JOHNSON LAW CORPORATION
4 44 Montgomery Street, Suite 2110
5 San Francisco, CA 94104
6 Telephone: (415) 882-7900
7 Facsimile: (415) 882-9287
8 mstafford@sjlawcorp.com
9 erussell@sjlawcorp.com

10 Attorneys for Plaintiffs

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12 UNITED STATES DISTRICT COURT

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14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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16 RUSSELL E. BURNS, et al.,

17 Case No.: C14-1798 VC

18 Plaintiffs,

19 v.
20 **PLAINTIFFS' REQUEST TO CONTINUE
21 CASE MANAGEMENT CONFERENCE;
22 [PROPOSED] ORDER THEREON**

23 B & B Sweeping, a California Limited Liability

24 Company; Brett Herring, an individual,

25 Defendants.

26 Date: September 23, 2014
27 Time: 10:00 a.m.
28 Location: 450 Golden Gate Avenue
Courtroom 4, 17th Floor
Judge: Honorable Vince Chhabria

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13 Plaintiffs respectfully request that the Case Management Conference, currently on calendar
14 for September 23, 2014, be continued for approximately forty-five (45) days. Good cause exists
15 for the granting of the continuance, as follows:

16 1. As the Court's records will reflect, this action was filed on April 18, 2014. The
17 Defendants were served on April 24, 2014, and Proofs of Service of Summons were filed with the
18 Court on May 2, 2014 (Dkt. #11 and #12). Defendants failed to plead or otherwise respond to the
19 lawsuit, and the Clerk entered default as to Defendants on June 25, 2014 (Dkt. #15). Defendants
20 were duly served with a copy of the Clerk's Notice of Default Entry, and a Proof of Service of
21 same was filed with the Court on June 26, 2014 (Dkt. #16).

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REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE

Case No.: C14-1798 VC

1 2. While Plaintiffs anticipated filing a Motion for Default Judgment by mid-August,
2 the parties were communicating and Plaintiffs attempted to reach an informal resolution with
3 Defendants by again offering Defendants the opportunity to enter into a payment plan for the
4 amounts owed to Plaintiffs. However, Defendants failed to enter into a payment plan, therefore
5 Plaintiffs continued their preparation of and are finalizing a Motion for Default
6 Judgment. Plaintiffs will file the Motion for Default Judgment within seven (7) days from today's
7 date.

8 3. There are no issues that need to be addressed by the parties at the currently
9 scheduled Case Management Conference. In the interest of conserving costs as well as the Court's
10 time and resources, Plaintiffs respectfully request that the Court continue the currently scheduled
11 Case Management Conference for approximately 45 days to coincide with the hearing date of the
12 Motion for Default Judgment.

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

15 Executed this 16th day of September 2014, at San Francisco, California.

SALTZMAN & JOHNSON
LAW CORPORATION

18 By: _____ /S/
19 Erica J. Russell
Attorneys for Plaintiffs

21 | IT IS SO ORDERED.

25 | Date: September 18, 2014

UNITED STATES DISTRICT COURT JUDGE