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6 Attorneys for Plaintiffs

7  
 8 UNITED STATES DISTRICT COURT  
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 BAY AREA PAINTERS AND TAPERS  
 11 PENSION TRUST FUND, et al.,

Case No.: C14-02362-TEH

12 Plaintiffs,

**PLAINTIFFS' REQUEST TO CONTINUE  
 CASE MANAGEMENT CONFERENCE;  
~~PROPOSED~~ ORDER THEREON**

13 v.

Date: November 17, 2014  
 Time: 1:30 p.m.  
 Dept.: Courtroom 12, 19th Floor, San  
 Francisco, CA  
 Judge: Honorable Thelton E. Henderson

14 DI GIROLAMO PAINTING AND  
 15 DECORATING, INC.,

16 DEFENDANT.

17  
 18 Plaintiffs herein respectfully request that the Case Management Conference, currently on  
 19 calendar for November 17, 2014, be continued for approximately sixty (60) days. Good cause  
 20 exists for the continuance, as follows:

21 1. As the Court's records will reflect, this action was filed on May 21, 2014 to collect  
 22 unpaid contributions and related amounts owed to Plaintiffs for work performed by Defendants'  
 23 employees, pursuant to the Collective Bargaining Agreement.

24 2. Plaintiffs had difficulties locating Defendant to effectuate service. After numerous  
 25 attempts, Defendant was served with the Complaint on August 15, 2014 and a Proof of Service of  
 26 Summons was filed with the Court on August 22, 2014.

27 3. Defendant's Responsive Pleading deadline was September 5, 2014.

1 4. Plaintiffs requested and were granted entry of default on September 16, 2014 as  
2 Defendants failed to file a response to the Complaint within the time permitted.

3 5. Following entry of Default, Plaintiffs' counsel sent one final demand to Defendant  
4 and further attempted to resolve the matter informally. Plaintiffs were unable to informally  
5 resolve the matter.

6 6. Plaintiffs are now preparing a Motion for Default Judgment and intend to file their  
7 motion within twenty-one (21) days of the date of this request.

8 7. In the interest of conserving costs as well as the Court's time and resources,  
9 Plaintiffs respectfully request that the Court continue the currently scheduled Case Management  
10 Conference for approximately sixty (60) days so as to allow Plaintiffs to prepare and file their  
11 Motion for Default 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 7<sup>th</sup> day of November, 2014, at San Francisco, California.

15 SALTZMAN & JOHNSON  
16 LAW CORPORATION

17 By: /s/  
18 Adrian L. Canzoneri  
19 Attorneys for Plaintiffs

20 **IT IS SO ORDERED.**

21 Based on the foregoing, and GOOD CAUSE APPEARING, the currently set Case Management  
22 Conference is hereby continued to 02/02/2015, at 1:30 p.m.. All related deadlines are extended  
23 accordingly.

24 Date: 11/12/2014  
25 \_\_\_\_\_



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PLAINTIFFS' REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE  
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