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7 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 BOARD OF TRUSTEES OF THE
 LABORERS HEALTH AND WELFARE
 12 TRUST FUND FOR NORTHERN
 CALIFORNIA; BOARD OF TRUSTEES OF
 13 THE LABORERS VACATION-HOLIDAY
 TRUST FUND FOR NORTHERN
 14 CALIFORNIA; BOARD OF TRUSTEES OF
 THE LABORERS PENSION TRUST FUND
 15 FOR NORTHERN CALIFORNIA; and
 BOARD OF TRUSTEES OF THE
 16 LABORERS TRAINING AND RETRAINING
 TRUST FUND FOR NORTHERN
 17 CALIFORNIA,

Plaintiffs,

18 vs.
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20 ROBERT ROSS HAZARD, an individual, dba
 HAZARD CONCRETE CONSTRUCTION,

21 Defendant.
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Case No.: 3:16-cv-01288-JSC

**CASE MANAGEMENT STATEMENT;
 [PROPOSED] ORDER THEREON**

Date: June 16, 2016

Time: 1:30 PM

Location: Ctrm. F, 15th Floor

Phillip Burton Federal Bldg.

Before: Hon. Jacqueline Scott Corley

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 24 Plaintiffs Board of Trustees of the Laborers Health and Welfare Trust Fund for Northern
 25 California; Board of Trustees of the Laborers Vacation-Holiday Trust Fund for Northern
 26 California; Board of Trustees for the Laborers Pension Trust Fund of Northern California and
 27 Board of Trustees of the Laborers Training and Retraining Trust Fund for Northern California
 28 (“plaintiffs”) provide this abbreviated case management statement.

1 On March 16, 2016, plaintiffs filed their Complaint for Breach of Collective Bargaining
2 Agreement, to Recover Unpaid Trust Fund Contributions and For a Mandatory Injunction
3 (“Complaint”) against defendant Robert Ross Hazard, an individual, dba Hazard Concrete
4 Construction (“defendant”). [See Document 1.] Defendant is not represented by counsel.
5 Plaintiffs’ claim against defendant is for delinquent union trust fund contributions due and
6 owing to defendant’s covered employees, approximately \$17,832.96 in underlying
7 contributions, plus liquidated damages and interest, for a total, to date, of approximately
8 \$25,834.35.

9 Defendant was personally served with the Complaint on April 13, 2016. [See
10 Document 7.] Since the filing of the Complaint, defendant has been in contact with plaintiffs in
11 an attempt to pay the outstanding balance due. Defendant, a subcontractor on various
12 construction projects, has informed plaintiffs he is owed retention monies on a completed
13 project by a general contractor, of approximately \$21,159.82, which defendant intends to have
14 paid directly to plaintiffs. Defendant has further advised plaintiffs that he is attempting to
15 secure additional monies from another general contractor. If successful, defendant will have
16 those additional monies paid to plaintiffs, as well. In addition, defendant has been able to
17 secure additional funds to pay off the outstanding balance due.

18 Defendant has not filed a responsive pleading. Plaintiffs have agreed with defendant to
19 allow defendant additional time to secure the necessary funds to pay the outstanding balance
20 due. To date, plaintiffs believe defendant has made a good faith effort to secure the necessary
21 funds to pay the outstanding balance due. Plaintiffs and defendant hope to resolve this matter
22 within the next sixty (60) days without further need for court intervention.

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1 Based on the above, plaintiffs respectfully request that this Court continue the case
2 management conference for sixty (60) days to allow time for the various payments to come
3 through, as payment would result in all damages claimed by plaintiffs being paid and dismissal
4 of the lawsuit.

5 DATED: June 9, 2016

BULLIVANT HOUSER BAILEY PC

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8 By /s/ Heather J. Zacharia
Heather J. Zacharia

9 Attorneys for Plaintiffs
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ORDER

Based on Plaintiffs' request to continue the case management conference and good cause appearing,

IT IS HEREBY ORDERED that the June 16, 2016, case management conference be continued to August 18, 2016, at 1:30 p.m. in Courtroom F, 15th Floor, 450 Golden Gate Avenue, San Francisco, California 94102. An updated case management conference statement shall be filed no later than seven (7) days prior to the continued case management conference.

DATED: June 9, 2016

By Jacqueline Scott Corley
HON. JACQUELINE SCOTT CORLEY
U.S. DISTRICT COURT MAGISTRATE JUDGE

4830-2198-2258.1