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10 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

13 BOARD OF TRUSTEES OF THE CEMENT  
 14 MASONS HEALTH AND WELFARE TRUST  
 15 FUND FOR NORTHERN CALIFORNIA;  
 16 BOARD OF TRUSTEES OF THE CEMENT  
 17 MASONS VACATION-HOLIDAY TRUST  
 18 FUND FOR NORTHERN CALIFORNIA;  
 19 BOARD OF TRUSTEES OF THE CEMENT  
 20 MASONS PENSION TRUST FUND FOR  
 21 NORTHERN CALIFORNIA; and BOARD OF  
 22 TRUSTEES OF THE CEMENT MASONS  
 23 TRAINING TRUST FUND FOR NORTHERN  
 24 CALIFORNIA,

25 Plaintiffs,

26 vs.

27 MERCOZA, a California corporation,

28 Defendant.

Case No.: 3:24-cv-03427-LJC

**CASE MANAGEMENT CONFERENCE  
 STATEMENT; ORDER AS MODIFIED  
 THEREON**

**DATE: September 5, 2024**

**TIME: 1:30 p.m.**

**CTRM: G, 15<sup>th</sup> Floor  
 San Francisco Courthouse  
 450 Golden Gate Avenue  
 San Francisco, CA 94102**

**VIA ZOOM**

On June 7, 2024, plaintiffs filed their Complaint for Breach of Collective Bargaining Agreement; To Recover Trust Fund Contributions; and For A Mandatory Injunction. [Dkt. 1]. The summons was issued on July 2, 2024. [Dkt. 8].

Plaintiffs have and continue to make attempts to serve defendant Mercoza. At the time of the filing of the complaint, Mercoza identified, on the California Secretary of State Website,


1 through its Statement of Information, that the location for service of its Agent for Service of  
2 Process, and owner, CEO, CFO, Jasan A. Duran Martinez, was 2001 Omega Road, 215, San  
3 Ramon, California 94583. Attempts at service at this location failed.

4 On August 17, 2024, Mercoza filed its Statement of Information, identifying the location  
5 for service of its Agent for Service of Process, and owner, CEO, CFO, Jasan A. Duran Martinez,  
6 was now at 1111 Broadway, Suite 300, Oakland, California 94607. Plaintiffs have made, and  
7 continue to make efforts, to serve defendant at this location. Plaintiffs have retained the services  
8 of a private investigation firm to help locate and serve the Agent for Service of Process.

9 Based on the above, plaintiffs respectfully request that the Court continue the  
10 September 5, 2024, case management conference for forty-five (45) days to allow plaintiffs to  
11 effectuate service and provide time for defendant to file a responsive pleading.

12 DATED: August 22, 2024

13 BULLIVANT HOUSER BAILEY PC

14  
15 By   
16 Ronald L. Richman  
17 Tracy L. Mainguy

18 Attorneys for Plaintiffs  
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**ORDER AS MODIFIED**

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2 Based on the plaintiffs’ request to continue the case management conference and good  
3 cause appearing,

4 IT IS HEREBY ORDERED that the case management conference be continued to  
5 Nov. 7 \_\_\_\_\_, 2024 at 1:30 p.m., ~~Courtroom G, 15<sup>th</sup> Floor, San Francisco~~  
6 ~~Courthouse, 450 Golden Gate Ave., SF, CA,~~ via Zoom Videoconference. The parties or  
7 Plaintiffs if defendant has not made an appearance, shall file an updated case management  
8 conference statement no later than seven (7) days prior to the continued case management  
9 conference.

10 DATED: August 30, 2024

Pursuant to Rule 4(m) of the Federal Rules of Civil  
Procedure, the Court finds good cause to extend the deadline  
for service of the complaint from September 5, 2024 to  
October 30, 2024.

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14 HON. LISA J. CISNEROS  
15 UNITED STATES MAGISTRATE JUDGE  
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