

1 Ronald L. Richman, SBN 139189
Susan J. Olson, SBN 152467
2 BULLIVANT HOUSER BAILEY PC
601 California Street, Suite 1800
3 San Francisco, California 94108
Telephone: 415.352.2700
4 Facsimile: 415.352.2701
E-Mail: ron.richman@bullivant.com
5 E-Mail: susan.olson@bullivant.com

6 Attorneys for Plaintiffs

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

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

17 Plaintiffs,

18 v.

19 C AND C CONCRETE, INC., a California
corporation; and JOSE R. HERRERA, JR., an
20 individual,

21 Defendant.

Case No.: CV 10 3344 LB

**STATEMENT IN LIEU OF CASE
MANAGEMENT CONFERENCE
STATEMENT; ORDER THEREON**

Date: January 13, 2011
Time: 1:30 p.m.
Ctroom: 4, Oakland
Hon. Laurel Beeler

22
23 **STATEMENT**

24 Plaintiffs filed their Complaint for Breach of Collective Bargaining Agreement, To
25 Recover Unpaid Trust Fund Contributions, for Breach of Fiduciary Duty and for a Mandatory
26 Injunction ("Complaint") on July 29, 2010, seeking to recover past due employee fringe benefit
27 contributions on behalf of C and C Concrete, Inc.'s covered employees.
28

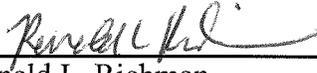
1 Defendants were served on August 6, 2010. Defendants failed to file a responsive
2 pleading. On September 3, 2010 Plaintiffs filed their Request For Clerk's Entry of Default. On
3 September 8, 2010 The Request for Clerk's Entry of Default was granted.

4 Defendants and Plaintiffs continue to participate in direct negotiations in an attempt to
5 resolve the matter prior to further litigation. Plaintiffs respectfully request that this Court allow
6 the parties an additional 30 days to attempt to settle the case.

7 Based on the above, Plaintiffs respectfully request that this Court continue the Case
8 Management Conference for 30 days at which time either Plaintiffs can report to the Court that
9 the case is settled or Plaintiffs will file their Motion for Default Judgment.

10 DATED: January 5, 2011

11 BULLIVANT HOUSER BAILEY PC

12
13 By 
14 Ronald L. Richman
Susan J. Olson

15 Attorneys for Plaintiffs

16 **ORDER**

17 Pursuant to Plaintiffs' request and good cause appearing:

18 IT IS HEREBY ORDERED that the Case Management Conference be continued to
19 March 10, 2011, Courtroom 4, Oakland at 1:30 p.m. The parties shall file a joint CMC
20 statement no later than 7 days prior to the continued case management conference.

21 DATED: January 6, 2011

22
23 By 
24 HON. LAUREL HELLER
25 UNITED STATES DISTRICT JUDGE



26 13035251.1