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7 Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
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 NORTHERN DISTRICT OF CALIFORNIA
 9
 OAKLAND DIVISION
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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,

18 Plaintiff,

19 vs.

20 VECTOR GENERAL ENGINEERING
 CONTRACTORS, INC. a California
 21 corporation, and RENE AMILCAR TORRES,
 an individual dba VECTOR ENGINEERING
 22 CONTRACTORS,

23 Defendant.

Case No.: CV 12-2633 DMR

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


25 On February 20, 2013, Plaintiffs conducted an audit of the books and records of Vector
 26 Engineering Contractors and discovered that Defendant Torres failed to report and failed to
 27 timely pay \$35,354.23 in contributions to the Plaintiffs. That amount does not include
 28 liquidated damages. On February 21, 2013, Plaintiffs sent a demand letter to defendant Torres

1 in an effort to arrange a payment plan pond. Defendant Torres has provided no response to that
2 letter.

3 Based on the above, Plaintiffs respectfully request that the Case Management
4 Conference be continued for 30 days to allow Plaintiffs to bring a motion to amend their
5 complaint to include the amounts owed to Plaintiffs based on the results of the audit.

6
7 DATED: April 9, 2013

8 BULLIVANT HOUSER BAILEY PC

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10 By 
11 Ronald L. Richman
12 Susan J. Olson
13 Edward D. Winchester

14 Attorneys for Plaintiff

15 **ORDER**

16 Pursuant to Plaintiffs' request and good cause appearing:

17 IT IS HEREBY ORDERED that the Case Management Conference be continued to
18 MAY 15, 2013, Courtroom 4, 3rd Floor at 1:30 p.m. Updated Case Management Statement due by 5/8/13.
19 Plaintiff shall serve Defendants with a copy of this Order and file a proof of service with the Court.

20 DATED: April 11, 2013

21 By 
22 HON. DONNA M. RYU
23 UNITED STATES MAGISTRATE JUDGE
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1 **PROOF OF SERVICE**

2 I am employed in the City and County of San Francisco by the law firm of Bullivant
3 Houser Bailey, PC ("the business"), 601 California Street, Suite 1800, San Francisco, CA
4 94108. I am over the age of 18 and not a party to this action. On April 9, 2013, I served the
document(s) entitled:

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

7 upon the following party(ies):

8 Vector General Engineering Contractors, Inc. 101 Indio Dr. South San Francisco, CA 94080	9 Rene Amilcar Torres 101 Indio Dr. South San Francisco, CA 94080
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10 (X) BY MAIL (CCP § 1013(a)): I am readily familiar with the ordinary practice of the
11 business with respect to the collection and processing of correspondence for mailing
12 with the United States Postal Service. I placed a true and correct copy(ies) of the above-
13 titled document(s) in an envelope(s) addressed as above, with first class postage thereon
14 fully prepaid. I sealed the aforesaid envelope(s) and placed it(them) for collection and
mailing by the United States Postal Service in accordance with the ordinary practice of
the business. Correspondence so placed is ordinarily deposited by the business with the
United States Postal Service on the same day.

15 () BY ELECTRONIC TRANSFER: I caused all of the pages of the above-entitled
16 document to be sent to the recipients indicated via email at the respective email
address(es). This document was transmitted by email and transmission reported without
17 error.

18 () BY FACSIMILE TRANSMISSION (CCP § 1013(e), CRC 2.306): I transmitted the
19 document(s) by facsimile transmission by placing it(them) in a facsimile machine
20 (telephone number 415-352-2701) and transmitting it(them) to the facsimile machine
telephone number(s) listed above. A transmission report was properly issued by the
transmitting facsimile machine. Each transmission was reported as complete and
without error. A true and correct copy of the transmission report is attached hereto.

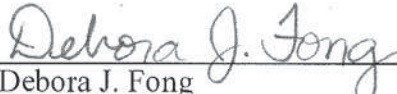
21 () BY OVERNIGHT DELIVERY (CCP § 1013(c)): I am readily familiar with the
22 ordinary practice of the business with respect to the collection and processing of
correspondence for mailing by Express Mail and other carriers providing for overnight
23 delivery. I placed a true and correct copy(ies) of the above-titled document(s) in an
envelope(s) addressed as above, with first class postage thereon fully prepaid. I sealed
24 the aforesaid envelope(s) and placed it(them) for collection and mailing by Express Mail
or other carrier for overnight delivery in accordance with the ordinary practice of the
25 business. Correspondence so placed is ordinarily deposited by the business with Express
Mail or other carrier on the same day.

26 () BY PERSONAL SERVICE UPON AN ATTORNEY (CCP § 1011(a)): I placed a true
27 and correct copy(ies) of the above-titled document(s) in a sealed envelope(s) addressed
as indicated above. I delivered each of said envelope(s) by hand to a receptionist or a
28 person authorized to accept same at the address on the envelope, or, if no person was
present, by leaving the envelope in a conspicuous place in the office between the hours
of nine in the morning and five in the afternoon.

1 () BY HAND Pursuant to Code of Civil Procedure § 1011, I directed each envelope to the
2 party(ies) so designated on the service list to be delivered by courier this date. A proof
3 of service by hand executed by the courier shall be filed/lodged with the court under
4 separate cover.

5 () BY PERSONAL SERVICE UPON A PARTY (CCP § 1011(b)): I placed a true and
6 correct copy(ies) of the above-titled document(s) in a sealed envelope(s) addressed as
7 indicated above. I delivered each of said envelope(s) by hand to a person of not less
8 than 18 years of age at the address listed on the envelope, between the hours of eight in
9 the morning and six in the evening.

10 I declare under penalty of perjury that the foregoing is true and correct. Executed on
11 April 9, 2013, at San Francisco, California.

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Debora J. Fong
