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7 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 OAKLAND 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,

18 Plaintiff,

19 vs.

20 RENE AMILCAR TORRES, an individual dba
 VECTOR ENGINEERING CONTRACTORS,

21 Defendant.
 22

Case No.: CV 12-2633 DMR

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

Date: May 15, 2013
Time: 1:30 p.m.
Ctroom: 4, 3rd Floor
Hon. Donna M. Ryu

23 On September 28, 2012 Plaintiffs filed their First Amended Complaint for Damages for
 24 Breach of Collective Bargaining Agreement and For A Mandatory Injunction seeking an Order
 25 to compel defendant to submit to an audit of the books and records of Vector Engineering
 26 Contractors.

27 On February 20, 2013, Plaintiffs were able to conduct an audit of Vector Engineering
 28 Contractors. The audit revealed unreported and unpaid employee fringe benefit contributions

1 due and owing on behalf of Vector Engineering Contractors' covered employees in the principal
2 amount of \$35,354.23, according to proof at trial.

3 Plaintiff intends to file concurrently with this statement their Motion for Leave to
4 Amend Complaint to add causes of action related to the outstanding trust fund contributions due
5 and owing on behalf of the covered employees of Vector Engineering Contractors.

6 Based on the above, Plaintiffs respectfully request that the May 15, 2013 Case
7 Management Conference be continued for sixty (60) days to allow the Court to rule on
8 Plaintiffs' motion, to allow Plaintiffs to file and serve their Second Amended Complaint should
9 the Court grant their motion, and, should Defendant Torres fail to answer, to allow Plaintiffs
10 time to proceed in default against Defendant.

11 DATED: May 10, 2013

12 BULLIVANT HOUSER BAILEY PC

13
14 By /s/ _____
15 Ronald L. Richman
16 Susan J. Olson
17 Edward D. Winchester

18 Attorneys for Plaintiff

19 **ORDER**

20 Pursuant to Plaintiffs' request and good cause appearing:

21 IT IS HEREBY ORDERED that the May 15, 2013 Case Management Conference be
22 continued to July 17, 2013, Courtroom 4, 3rd Floor at 1:30 p.m. Updated Case Management
23 Statement due by July 10, 2013. Plaintiff shall serve Defendants with a copy of this Order and file
24 DATED: May 10, 2013 proof of service with the Court.

25 By  _____
26 HON. DONNA M. RYU
27 UNITED STATES MAGISTRATE JUDGE

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