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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
 (AS MODIFIED)**

Date: July 17, 2013
Time: 1:30 p.m.
Ctroom: 4, 3rd Floor
Hon. Donna M. Ryu

23 On June 11, 2013, Plaintiffs filed and served their Second Amended Complaint for
 24 Damages for Breach of Collective Bargaining Agreement, to Recover Unpaid Trust Fund
 25 Contributions, and for Breach of Fiduciary Duty. Defendant Rene Amilcar Torres has failed to
 26 file an answer to Plaintiffs' Second Amended Complaint.

27 Plaintiffs are drafting a motion for default judgment against Defendant Torres which
 28 Plaintiffs intend to have filed with the Court within the next 30 days.

1 Based on the above, Plaintiffs respectfully request that the Case Management
2 Conference be continued for 30 days to allow Plaintiffs to file their motion for default judgment
3 against Defendant Torres.

4 DATED: July 8, 2013

5 BULLIVANT HOUSER BAILEY PC

6
7 By 

8 Ronald L. Richman
9 Susan J. Olson
Edward D. Winchester

10 Attorneys for Plaintiff

11 **ORDER**

12 Pursuant to Plaintiffs' request and good cause appearing:

13 IT IS HEREBY ORDERED that the Case Management Conference be continued to

14 AUGUST 28, 2013, Courtroom 4, 3rd Floor at 1:30 p.m. The Case Management
15 Conference Statement is due no later than August 21, 2013. Plaintiffs shall serve the Defendant
DATED: July 15, 2013 with a copy of this Order and file a proof of service with the court.

16
17 By 

18 HON. DONNA M. RYU
19 UNITED STATES MAGISTRATE JUDGE

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 July 8, 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. 9 South San Francisco, CA 94080	Rene Amilcar Torres 101 Indio Dr. South San Francisco, CA 94080
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10
11 (X) BY MAIL (CCP § 1013(a)): I am readily familiar with the ordinary practice of the
12 business with respect to the collection and processing of correspondence for mailing
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
fully prepaid. I sealed the aforesaid envelope(s) and placed it(them) for collection and
14 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
(telephone number 415-352-2701) and transmitting it(them) to the facsimile machine
20 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.

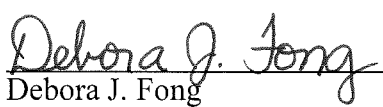
26 () BY PERSONAL SERVICE UPON AN ATTORNEY (CCP § 1011(a)): I placed a true
27 and correct copy(ies) of the above-titled document(s) in a sealed envelope(s) addressed
as indicated above. I delivered each of said envelope(s) by hand to a receptionist or a
28 person authorized to accept same at the address 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.

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

() BY PERSONAL SERVICE UPON A PARTY (CCP § 1011(b)): I placed a true 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 person of not less than 18 years of age at the address listed on the envelope, between the hours of eight in the morning and six in the evening.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 8, 2013, at San Francisco, California.



Debora J. Fong
