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12 Attorneys for Defendants

13 UNITED STATES DISTRICT COURT

14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 PENSION PLAN FOR PENSION TRUST
 FUND FOR OPERATING ENGINEERS; F.G.
 16 CROSTHWAITE and RUSSELL E. BURNS,
 as Trustees,

17 Plaintiffs,

18 vs.

19 THOMES CREEK LOGGING, INC., a
 20 California corporation; DAVID SLAGLE, an
 individual; and DOES 1-20,

21 Defendants.
 22

Case No.: C 12-5266 DMR

**JOINT CASE MANAGEMENT
 STATEMENT; JOINT REQUEST TO
 CONTINUE CMC; AND ORDER**

Complaint Filed: 10/11/12

CMC: 4/10/13

Judge: Honorable Donna M. Ryu

23 Pursuant to this Court’s order entered December 27, 2012 (Dkt. 11), Rule 6(b) and 26(f) of
 24 the Federal Rules of Civil Procedure, Northern District of California Local Rule 6.1(b) and 16-9,
 25 and the Standing Order for All Judges of the Northern District of California, Plaintiffs Pension
 26 Plan for Pension Trust Fund for Operating Engineers, et al. (“Plaintiffs”), and Defendants Thomes
 27 Creek Logging, Inc., and David Slagle (“Defendants”) by and through the undersigned counsel,
 28

1 hereby supplement the Joint Case Management Conference Statement filed on February 1, 2013
2 (Dkt. 18) as follows:

3 1. The parties entered into a Confidentiality Agreement on February 6, 2013.

4 2. On several occasions (i.e. February 7, 2013, March 13, 2013, March 14, 2013, and
5 March 16, 2013), Defendants produced several documents to facilitate a settlement.

6 3. The parties have exchanged monetary offers and are still engaged in settlement
7 negotiations. The parties would like sufficient opportunity to continue to explore settlement
8 options and exchange documents as necessary.

9 4. If this matter does not settle the parties are agreeable to participating in mediation
10 on one of the following dates: May 13, 2013, or during the week of May 27, 2013, through May
11 31, 2013. (Dkt. 19).

12 5. There are no issues that need to be addressed at the currently scheduled Case
13 Management Conference Wednesday April 10, 2013.

14 6. Based on the foregoing, the parties respectfully request that the Case Management
15 Conference be continued to Wednesday June 12, 2013, to allow time for the parties to exchange
16 documents and continue settlement negotiations as well as to schedule and participate in
17 mediation, if necessary. The continuance will conserve costs as well as the Court's time and
18 resources.

19 7. In a further attempt to conserve costs and because Defendants' counsel is located in
20 Southern California, counsel for both parties request permission to appear telephonically at the
21 next Case Management Conference.

22

23 Dated: March 21, 2013

SALTZMAN & JOHNSON LAW CORPORATION

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By: _____//S//_____

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Shaamini A. Babu
Counsel for Plaintiffs

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1 Dated: March 21, 2013

KLATTE, BUDENSIEK & YOUNG-AGRIESTI, LLP

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By: _____ //S// _____
Summer Young-Agriesti
Counsel for Defendants

ORDER

Based on the foregoing Stipulation of the parties, the Case Management Conference is hereby continued to June 12, 2013, at 1:30 pm. Counsel for both parties may appear telephonically at said conference. The parties shall file a Joint Case Management Statement by June 5, 2013. Both parties must follow the protocol set forth in the attached Notice re: Telephonic Appearance Procedures for Magistrate Judge Donna M. Ryu.
IT IS SO ORDERED.

Dated: 3/25/2013



The Honorable Judge Donna M. Ryu
UNITED STATES MAGISTRATE JUDGE

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