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6 Attorneys for Plaintiffs

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8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 BAY AREA PAINTERS AND TAPERS  
 PENSION TRUST FUND, et al.  
 11 Plaintiffs,  
 12 v.  
 13 N.J. KANN PAINTING, INC., a California  
 14 corporation,  
 15 Defendant.

Case No.: C12-5542 CW

**PLAINTIFFS’ REQUEST FOR  
 CONTINUANCE OF CASE  
 MANAGEMENT CONFERENCE; and  
 [PROPOSED] ORDER THEREON**

Date: Wednesday, June 5, 2013  
 Time: 2:00 p.m.  
 Ctrm: 2, 4th Floor  
 1301 Clay Street  
 Oakland, CA  
 Judge: The Honorable Claudia Wilken

17  
18 Plaintiffs respectfully request that the Case Management Conference scheduled for June 5,  
19 2013, at 2:00 p.m., be continued for approximately sixty (60) days, as follows:

20 1. As the Court’s records will reflect, this action was filed on October 29, 2012 to  
 21 compel Defendant to comply with the terms of its Collective Bargaining Agreement. Service on  
 22 Defendant was completed on October 30, 2012. A Proof of Service of Summons was filed with  
 23 the Court on November 6, 2012. [*Docket No. 12.*]

24 2. Plaintiffs requested a continuance of the Case Management Conference on March  
 25 26, 2013 because Plaintiffs were contacted by Defendant’s counsel, requesting an informal  
 26 resolution. Plaintiffs extended Defendant’s time to file an Answer, to provide Plaintiffs time to  
 27 work with the fund administrator to confirm the total amount owed by Defendant, some of which  
 28 went back to 2010. An order granting Plaintiffs’ request for continuance was filed on March 28,

1 2013. [Docket No. 18.]

2 3. Plaintiffs have now confirmed total amounts owed by Defendant and have drafted a  
3 proposed Stipulation, and forwarded it to Defendant's counsel for review and execution.

4 4. Therefore, Plaintiffs respectfully request that the Case Management Conference be  
5 continued for approximately sixty (60) days in order to allow both parties sufficient time to  
6 confirm the terms of the settlement and enter judgment.

7 5. There are no issues that need to be addressed by this Court at the currently  
8 scheduled Case Management Conference. In the interest of conserving costs as well as the Court's  
9 time and resources, Plaintiffs respectfully request that the Court continue the currently scheduled  
10 Case Management Conference.

11 6. Plaintiffs recognize that a case management conference statement is due seven days  
12 in advance of the case management conference date and that the statement must include all  
13 elements requested in the "Standing Order for All Judges of the Northern District of California –  
14 Contents of Joint Case Management Statement" pursuant to Local Rule 16-9. Should this Court  
15 require Plaintiffs to file a Case Management Conference Statement, Plaintiffs will do so promptly.

16 Dated: May 29, 2013

**SALTZMAN & JOHNSON  
LAW CORPORATION**

17  
18 By: \_\_\_\_\_ /S/  
Muriel B. Kaplan  
19 Attorneys for Plaintiffs  
20

21 IT IS SO ORDERED.

22 Based on the foregoing, and GOOD CAUSE APPEARING, the currently set Case  
23 Management Conference is hereby continued to 8/7/2013, and all related deadlines are  
24 extended accordingly.

25 Date: 5/30/2013

26   
27 THE HONORABLE CLAUDIA WILKEN  
28 UNITED STATES DISTRICT COURT