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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

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7 THE BOARD OF TRUSTEES, in their  
8 capacities as Trustees of the LABORERS  
9 HEALTH AND WELFARE TRUST FUND  
10 FOR NORTHERN CALIFORNIA;  
11 LABORERS VACATION-HOLIDAY  
12 TRUST FUND FOR NORTHERN  
13 CALIFORNIA; LABORERS PENSION  
14 TRUST FUND FOR NORTHERN  
15 CALIFORNIA; and LABORERS TRAINING  
16 AND RETRAINING TRUST FUND FOR  
17 NORTHERN CALIFORNIA,

14 Plaintiffs,

15 vs.

16 ONTIVEROS CONCRETE, INC.,

17 Defendant.

Case No.: 12-cv-06338-YGR

**ORDER STAYING ACTION PENDING  
RESOLUTION OF CHAPTER 7 BANKRUPTCY  
AND VACATING CASE MANAGEMENT  
CONFERENCE**

18 The Court has received notice that Defendant filed a petition for bankruptcy. (Dkt. No. 5.)  
19 Accordingly, this action is **STAYED** and the Court now sets this matter for a Bankruptcy Status  
20 Hearing at 9:01 a.m. on Friday, September 27, 2013. The Case Management Conference scheduled  
21 for March 25, 2013 is hereby **VACATED**.


22 Five (5) business days prior to the date of the Status Hearing, Plaintiffs must file a Case  
23 Management Statement informing the Court of the status of the bankruptcy proceedings. If the Case  
24 Management Statement has been timely filed, no appearance will be required and the Status Hearing  
25 will be taken off calendar. Telephonic appearances will be allowed if the statement has been  
26 submitted in a timely fashion and the Court deems the hearing necessary. Failure to do so may result  
27 in sanctions.  
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If Plaintiffs become aware that the bankruptcy stay has been vacated, modified to allow this matter to proceed, or terminated by dismissal of the bankruptcy action, Plaintiffs must immediately serve and file a notice that the bankruptcy stay is no longer in effect and request the setting of a Case Management Conference. Failure to file the Case Management Statement, appear at the Status Hearing, or file the notice that the bankruptcy stay is no longer in effect, may result in sanctions, including monetary sanctions or dismissal.

**IT IS SO ORDERED.**

Dated: March 21, 2013

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE