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19 UNITED STATES DISTRICT COURT
20 FOR THE NORTHERN DISTRICT OF CALIFORNIA

21 F.G. CROSTHWAITE, et al.,

22 Plaintiffs,

23 v.

24 CALEX ENGINEERING COMPANY, a
25 California Partnership; CALEX
26 ENGINEERING, INC., a California
27 Corporation; EARTHWORK SYSTEMS INC.,
28 a California Corporation; and DOES 1 through
10, inclusive;

Defendants.

Case No.: C13-1718 JSW

**JOINT REQUEST TO CONTINUE
CASE MANAGEMENT CONFERENCE;
~~PROPOSED~~ ORDER THEREON**

Date: July 25, 2014
Time: 11:00 a.m.
Location: 450 Golden Gate Avenue
San Francisco, CA
Courtroom: 11
Judge: Jeffrey S. White

Plaintiffs and Defendants jointly request that the Case Management Conference, currently on calendar for July 25, 2014, be continued for 70 - 90 days.

1. Plaintiffs F.G. Crosthwaite, et al., and named Defendants Calex Engineering Company, a California Partnership; Calex Engineering, Inc., a California Corporation; Earthwork Systems Inc., a California Corporation, through their attorneys, have reached a conditional settlement. Said parties have executed a Stipulation for Entry of Judgment Upon Default,

(“Stipulation”) which provides a payment plan to allow Defendants to satisfy their debt to the Plaintiff Trust Funds by making monthly payments. Said Stipulation allows Plaintiffs to obtain judgment against the named Defendants and a personal guarantor in the event that Defendants fail to timely cure any default thereunder. A copy of the signed Stipulation was attached as Exhibit A to the previous Joint Request to Continue Case Management Conference (Dkt. #31) filed in this matter.

2. Defendants have made ten of twelve stipulated payments as required, and are otherwise in compliance with the Stipulation. The parties anticipate filing a notice of dismissal upon bank clearance of Defendant’s twelve and final installment payment.

3. In the interest of conserving costs as well as the Court’s time and resources, Plaintiffs and Defendants respectfully request that the Case Management Conference, currently scheduled for July 25, 2014, be continued for 70 - 90 days to allow for completion of the payment plan and verification of bank clearance of Defendant’s final stipulated payment.

Dated: July 17, 2014

**SALTZMAN & JOHNSON
LAW CORPORATION**

/S/

Michele R. Stafford, Esq.
Attorneys for Plaintiffs

Dated: July 17, 2014

**CHAPMAN GLUCKSMAN DEAN ROEB
& BARGER**

/S/

David Napper, Esq.
Attorneys for Defendants

IT IS SO ORDERED.

The currently set Case Management Conference is hereby continued to October 17, 2014 at 11:00 a.m., and all previously set deadlines and dates related to this case are continued accordingly.

Date: July 21, 2014


THE HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT COURT JUDGE