

1 Michele R. Stafford, Esq. (SBN 172509)
 Erica J. Russell, Esq. (SBN 274494)
 2 SALTZMAN & JOHNSON LAW CORPORATION
 44 Montgomery Street, Suite 2110
 3 San Francisco, CA 94104
 (415) 882-7900
 4 (415) 882-9287 – Facsimile
mstafford@sjlawcorp.com
 5 erussell@sjlawcorp.com

6 Attorneys for Plaintiffs

7 Debra Hinshaw Vierra, Esq. (SBN 110672)
 Cook Brown, LLP
 8 555 Capitol Mall, Suite 425
 Sacramento, CA 95814
 9 (916) 442-3100
 (916) 442-4227 – Facsimile
 10 dhinshawvierra@cookbrown.com

11
 12 UNITED STATES DISTRICT COURT
 13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 14

15 RUSSELL E. BURNS, et al.,
 16 Plaintiffs,
 17 v.
 18 TITAN DVBE, INC., a California Corporation;
 WILLIAM SCHROYER, an Individual,
 19 Defendants.
 20

Case No.: C13-5886 SBA

**JOINT REQUEST FOR CONTINUANCE
 OF CASE MANAGEMENT
 CONFERENCE; ORDER THEREON**

Date: Wednesday, July 30, 2014
 Time: 2:30 p.m.
 Ctrm: 1, 4th Floor
 1301 Clay Street
 Oakland, California
 Judge: The Honorable Sandra B. Armstrong

22 Plaintiffs and Defendants respectfully request that the Case Management Conference,
 23 scheduled for July 30, 2014, at 2:30 p.m., be continued for approximately ninety (90) days. Good
 24 cause exists for the granting of the continuance as follows:

- 25 1. As the Court’s records will reflect, this action was filed on December 19, 2013 to
- 26 compel Defendants to comply with the terms of their Collective Bargaining Agreement.
- 27 2. Plaintiffs served the Summons and Complaint on Defendants on January 1, 2014.
- 28

1 3. An audit of Defendants' records was performed for the period July 1, 2009 through
2 December 31, 2013, revealing a liability to Plaintiffs of approximately \$90,000.00.

3 4. Defendants disputed the audit findings and Plaintiffs requested that Defendants
4 provide documentation that supports Defendants' position.

5 5. Plaintiffs agreed to extend the deadline for Defendants to file an Answer to the
6 Complaint to allow for Defendants to provide evidence in support of their dispute of the audit and
7 for Plaintiffs to review any such evidence.

8 6. The only document Defendants provided was an excel spreadsheet listing payments
9 made to Plaintiffs for unpaid contributions for the time period June 2010 through November 2010.
10 Plaintiffs administrator confirmed that these payments did not affect the results of the audit, as the
11 audit reveals hours unreported and unpaid by Defendants.

12 7. Despite several requests from Plaintiffs, Defendants failed to provide any further
13 documentation supporting their dispute of the audit findings; therefore, Plaintiffs requested
14 Defendants file their Answer to the Complaint by June 27, 2014.

15 8. Defendants filed their Answer to the Complaint on June 27, 2014.

16 9. The parties are continuing to discuss the audit findings and Defendants' dispute
17 thereof, and are attempting to resolve this matter informally.

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

