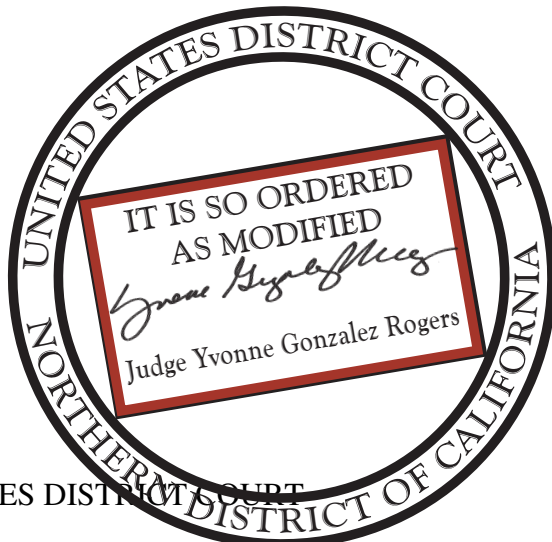


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7 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 OAKLAND DIVISION

11 BOARD OF TRUSTEES OF THE  
 LABORERS HEALTH AND WELFARE  
 12 TRUST FUND FOR NORTHERN  
 CALIFORNIA; BOARD OF TRUSTEES OF  
 13 THE LABORERS VACATION-HOLIDAY  
 TRUST FUND FOR NORTHERN  
 14 CALIFORNIA; BOARD OF TRUSTEES OF  
 THE LABORERS PENSION TRUST FUND  
 15 FOR NORTHERN CALIFORNIA; and  
 BOARD OF TRUSTEES OF THE  
 16 LABORERS TRAINING AND RETRAINING  
 TRUST FUND FOR NORTHERN  
 17 CALIFORNIA,

Plaintiffs,

18 vs.

19 ROBERT ROSS HAZARD, an individual, dba  
 20 Hazard Concrete Construction,

21 Defendant.

Case No.: 4:15-cv-00934-YGR

**PLAINTIFFS' COMPLIANCE STATEMENT; ORDER THEREON**

**Date: June 10, 2015**  
**Time: 9:01 a.m.**  
**Loc.: Ctrm. 1**  
**1301 Clay Street**  
**Oakland, CA 94612**  
**Hon. Yvonne Gonzalez Rogers**

22  
 23 Plaintiffs Board of Trustees of the Laborers Health and Welfare Trust Fund for Northern  
 24 California, Board of Trustees of the Laborers Vacation Holiday Trust Fund for Northern  
 25 California, Board of Trustees of the Laborers Pension Trust Fund for Northern California, and  
 26 Board of Trustees of the Laborers Training and Retraining Trust Fund for Northern California  
 27 (collectively, "Plaintiffs") respond to this Court's Order Setting Compliance Hearing as follows.

28 ///

1 On March 3, 2015, Plaintiffs filed their Complaint for Breach of Collective Bargaining  
2 Agreement, To Recover Unpaid Trust Fund Contributions and for a Mandatory Injunction  
3 (“Complaint”). See Document 3. On March 10, 2015, this case was reassigned to this Court.  
4 See Document 7. On March 12, 2015, an Administrative Motion to Relate Cases was filed. See  
5 Document 8.<sup>1</sup> The Complaint was served via substituted service on March 29, 2015. See  
6 Document 13. After defendant failed to file a responsive pleading, Plaintiffs’ requested the  
7 clerk to enter default of the defendant. See Documents 14-16. On May 15, 2015, the Clerk’s  
8 Entry of Default was filed. See Document 17. On May 26 2015, this Court issued its Order  
9 Setting Compliance Hearing. See Document 18.

10 Plaintiffs are in the process of gathering all information and documentation to support  
11 their Motion for Default Judgment. The necessary information and documents, while in the  
12 possession of Plaintiffs, will come from various departments, and this involves some planning  
13 and coordination among the various departments. In addition, counsel for Plaintiffs is in the  
14 process of preparing declarations in support of the Motion for Default Judgment.

15 Plaintiffs anticipate having all information, documentation and supporting declarations  
16 completed and the Motion for Default Judgment filed within the next thirty (30) days.

17 Plaintiffs therefore respectfully request this Court vacate the current Compliance  
18 Hearing date of Wednesday, June 10, 2015, and reset it for July 8, 2015.

19 DATED: May 28, 2015

20 BULLIVANT HOUSER BAILEY PC

21  
22 By /s/ Heather J. Zacharia  
23 Heather J. Zacharia

24 Attorneys for Plaintiffs

25 15552246.1

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27 \_\_\_\_\_  
28 <sup>1</sup> At the time the Administrative Motion to Relate Cases was filed, the Cement Masons Trust Funds had a similar action against defendant. The Cement Masons litigation has been resolved and the matter dismissed.

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**ORDER**

Based on the Plaintiffs’ response to this Court’s Order Setting Compliance Hearing and good cause appearing,

IT IS HEREBY ORDERED that the June 10, 2015 Compliance Hearing be continued to July 10 \_\_\_\_\_, 2015 at 9:01 a.m., Courtroom 1, 4<sup>th</sup> Floor (Oakland). Five (5) business days prior to the compliance hearing, Plaintiffs shall file either: (a) their Motion for Default Judgment; or (b) a one-page statement setting forth their failure to comply. If the Motion for Default judgment is filed prior to the compliance hearing, plaintiffs need not appear and the compliance hearing will be taken off calendar.

DATED: June 3, 2015

By:   
\_\_\_\_\_  
HON. YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE