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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PENSION PLAN FOR PENSION TRUST
FUND FOR OPERATING ENGINEERS, et
al.,

Plaintiffs,

v.

CONSTRUCTION MATERIALS
TESTING, INC., et al.,

Defendants.

Case No. 15-cv-05325-DMR

**ORDER RE: HEARING ON MOTION
FOR DEFAULT JUDGMENT**

On April 15, 2016, Plaintiffs filed a motion for default judgment against Defendant Construction Materials Testing, Inc. (“CMT”). [Docket No. 20.] On April 19, 2016, Donald Rose, the President of CMT filed a motion to continue the deadline for opposing Plaintiffs’ motion for default judgment so that CMT could retain counsel. [Docket No. 27.] The court requested a response from Plaintiffs. [Docket No. 28.] Plaintiffs stated that they did not oppose Rose’s request to continue CMT’s opposition deadline to July 1, 2016. [Docket No. 30.] On April 27, 2016, the court extended Defendant CMT’s deadline to oppose the motion to July 1, 2016, set Plaintiffs’ reply deadline for July 8, 2016, and continued the hearing on the motion from June 9, 2016 to July 28, 2016. [Docket No. 32.] CMT failed to file an opposition to the motion for default judgment by July 1, 2016.

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On July 5, 2016, Plaintiff requested that the court enter judgment without a hearing. [Docket No. 36.] The court denies the Plaintiff’s request and confirms that the hearing previously set for the motion for default judgment on July 28, 2016 at 11:00 a.m. at the U.S. District Court at 1301 Clay Street, Oakland, California remains on calendar.

Plaintiffs shall immediately serve a copy of this Order on Defendant and file proof of service with the court.

IT IS SO ORDERED.

Dated: July 5, 2016



Donna M. Ryu
United States Magistrate Judge