1	ANNE M. BEVINGTON (SBN 111320) SHAAMINI A. BABU (SBN 230704)		
2	ANJULI M. CARGAIN (SBN 270546) SALTZMAN & JOHNSON LAW CORPORATI	ON	
3	44 Montgomery Street, Suite 2110 San Francisco, CA 94104		
4	(415) 882-7900 (415) 882-9287 – Facsimile		
5	abevington@sjlawcorp.com sbabu@sjlawcorp.com		
6	acargain@sjlawcorp.com Attorneys for Plaintiffs		
7	Attorneys for Plaintiffs		
8	Theomeys for Filinkins		
9	UNITED STATES	DISTRICT COURT	
10	FOR THE NORTHERN DI	STRICT OF CALIFORNIA	
11	PENSION PLAN FOR PENSION TRUST	Case No.: CV 15-5595 KAW	
12	FUND et al.	REQUEST TO CONTINUE THE INITIAL	
13	Plaintiffs,	CASE MANAGEMENT CONFERENCE AND [PROPOSED] ORDER	
14	VS.	Date: March 8, 2016	
15	RJ MILES, INC. FKA RJ MILES COMPANY; and DOES 1-10,	Time: 1:30 PM Location: Courtroom 4, 3rd Floor	
16	Defendants.	Ronald Dellums Federal Building 1301 Clay Street	
17		Oakland, CA 94612	
18		Judge: Magistrate Judge Kandis A. Westmore	
19			
20	Disputiffo DENSION DI AN EOD DE	NSION TRUST FUND FOR ODERATING	
21	Plaintiffs PENSION PLAN FOR PENSION TRUST FUND FOR OPERATING		
22	ENGINEERS et al., ("Plaintiffs"), hereby submit a Request to Continue the Initial Case		
23	Management Conference currently scheduled for Tuesday, March 8, 2016, at 1:30 p.m., to		
24	Tuesday, June 7, 2016, at 1:30 p.m., or such other date thereafter that is convenient to the Court.		
25	Good cause exists for the granting of the continuance, as follows:		
26	1. A Complaint was filed by Plaintiffs against Defendant RJ MILES, INC. FKA RJ		
20	MILES COMPANY ("Defendant") in this matter on December 8, 2015. Docket No. 1. Substituted		
27 28	Service on Defendant was effectuated by delivery on December 27, 2015, and mailing on		
20		1 REQUEST TO CONTINUE CMC	
		Dockets.Justia	

1 December 31, 2015. Docket No. 10

15

24

25

26

27

28

2 2. Defendant has failed to plead or otherwise defend or appear in this action, and the
3 time permitted for such pleading, defense, or other appearance has run.

4 3. A Request for Entry of Default as to Defendant was filed by Plaintiffs on February
5 3, 2016. Docket Nos. 12-13.

6 4. This is the first request to continue the Initial Case Management Conference. This
7 request is made in order for the Plaintiffs to have sufficient opportunity to file a Motion for
8 Default Judgment against Defendant in this matter before incurring the expense and using the
9 Court's resources in proceeding with the Initial Case Management Conference. Plaintiffs expect
10 to file said motion on or around April 25, 2016.

5. Based on the foregoing, the parties respectfully request that this Court continue the
Initial Case Management Conference to Tuesday, June 7, 2016, at 1:30 p.m., or such other date
thereafter that is convenient to the Court. The effect of this requested time modification would
extend the date of the Initial Case Management Conference and related deadlines.

16Dated: February 16, 2016SALTZMAN & JOHNSON LAW CORPORATION17By: /s/Anjuli M. Cargain
Anjuli M. Cargain
Attorneys for Plaintiffs192021222323

REQUEST TO CONTINUE CMC

1	ORDER	
2	Based on the foregoing, and good cause appearing, the Initial Case Management	
3	Conference is continued to Tuesday, June 7, 2016 at 1:30 p.m. The parties must file a Joint Case	
4	Management Conference Statement by Tuesday, May 31, 2016. All related deadlines are	
5	extended accordingly.	
6	IT IS SO ORDERED.	
7		
8	Date: 2/17/16 Kandes Westmole	
9	THE HONORABLE KANDIS A. WESTMORE UNITED STATES MAGISTRATE JUDGE	
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26 27		
27 28		
20	3 REQUEST TO CONTINUE CMC	