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****E-Filed 6/28/2010****

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9 **Attorneys for Plaintiffs**
10 **J & J Sports Productions, Inc.**

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

J & J SPORTS PRODUCTIONS, INC.,

CASE NO. 5:09-cv-05124-JF

Plaintiff,

vs.

SERGIO SANTANA GUZMAN, et al.

Defendants.

PLAINTIFF'S *EX PARTE*
APPLICATION FOR AN ORDER
VACATING THE CASE
MANAGEMENT CONFERENCE; AND
ORDER (~~Proposed~~) AS MODIFIED

TO THE HONORABLE JEREMY FOGEL, THE DEFENDANTS, AND THEIR
ATTORNEYS OF RECORD:

Plaintiff J & J Sports Productions, Inc., hereby applies *ex parte* for an order vacating the Case Management Conference in this action, presently set for Friday, July 2, 2010 at 10:30 a.m. This request will be, and is, necessitated by the fact that defendants Sergio Santana Guzman, individually and d/b/a Tacos Santana; and Besag, Inc., an unknown business entity d/b/a Tacos Santana are in default and Plaintiff's Application for Default Judgment will soon be filed with this Honorable Court.

As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive pleading from the defendants. As a result, Plaintiff's counsel has not conferred with the defendants concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the case itself or the preparation of a Case Management Conference Statement.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court vacate the Case Management Conference presently scheduled for Friday, July 2, 2010 at 10:30 a.m. in order that Plaintiff and its counsel may avoid necessary fees and costs in this matter presently pending final disposition by virtue of Plaintiff's Application for Default Judgment by the Court.

Respectfully submitted,

Dated: June 25, 2010

/s/ Thomas P. Riley

LAW OFFICES OF THOMAS P. RILEY, P.C.

By: Thomas P. Riley

Attorneys for Plaintiff

J & J Sports Productions, Inc.

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Plaintiff shall also serve a copy of this Order on the Defendants and thereafter file a Certification of Service of this Order with the Clerk of the Court.

IT IS SO ORDERED:

Dated: 6/28/2010

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MARIA BAIRD

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