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

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13 **SAN JOSE DIVISION**

14 **J & J SPORTS PRODUCTIONS, INC.,**

CASE NO. 5:10-cv-01883-JF

15 **Plaintiff,**

PLAINTIFF'S *EX PARTE*
APPLICATION FOR AN ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE; AND ORDER

16 **v.**

~~(Proposed)~~--

17 **KIM THUY HO, et al.**

18 **Defendant.**

19 **TO THE HONORABLE JEREMY FOGEL, THE DEFENDANT/S AND HER**
 20 **ATTORNEY/S OF RECORD:**

21 Plaintiff J & J Sports Productions, Inc. hereby applies *ex parte* for an order continuing the Case
 22 Management Conference presently set for July 30, 2010 at 10:30 AM. As set forth below Plaintiff
 23 respectfully requests that the Court continue the Case Management Conference to a new date
 24 approximately Thirty (30) to Forty-Five (45) days forward.

25 The request for the brief continuance is necessitated by the fact that Plaintiff has not yet
 26 perfected service of the initiating suit papers upon the Defendant Kim Thuy Ho a/k/a Kim Hung
 27 Ho individually and d/b/a Thoa Cafe. As a result, Plaintiff's counsel has not conferred with the
 28 defendant 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.

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PROOF OF SERVICE (SERVICE BY MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is 1114 Fremont Avenue, South Pasadena, California. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On July 20, 2010, I served:

PLAINTIFF'S *EX PARTE* APPLICATION FOR AN ORDER CONTINUING CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Kim Thuy Ho a/k/a Kim Hung Ho (Defendant)
950 Story Road, B
San Jose, CA 95122

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct, and that this declaration was executed on July 20, 2010, at South Pasadena, California.

Dated: July 20, 2010

/s/ Maria Baird
MARIA BAIRD