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9 **Attorneys for Plaintiffs**  
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.,**

15 **Plaintiff,**

16 **vs.**

17 **SAMUEL CORTEZ CORTEZ, et al.**

18 **Defendants.**

19 **CASE NO. 5:10-cv-02717-JF**

20 **ORDER GRANTING IN PART**  
21 **PLAINTIFF'S *EX PARTE***  
22 **APPLICATION FOR AN ORDER**  
23 **VACATING THE CASE**  
24 **MANAGEMENT CONFERENCE; ~~AND~~**  
25 **~~ORDER (Proposed)~~**

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

28 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, December 3, 2010 at 10:30 a.m. This request will be, and is, necessitated by the fact that defendants Samuel Cortez Cortez and Alma Rosa Cortez, individually and d/b/a Metro Balderas; and SC Cortez, Inc., an unknown business entity d/b/a Metro Balderas 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





