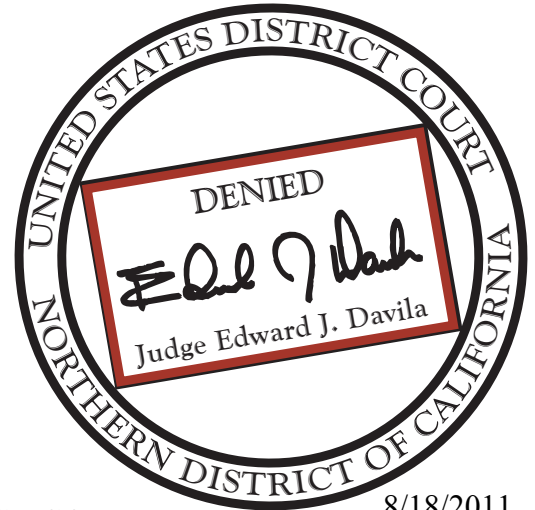


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9 **Attorneys for Plaintiffs**
 10 **J & J Sports Productions, Inc.**



8/18/2011

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-05131-EJD

15 **Plaintiff,**

PLAINTIFF'S *EX PARTE*

16 **vs.**

APPLICATION FOR AN ORDER
VACATING THE CASE

17 **PEDRO SALVADOR SAUCEDO, et al.**

MANAGEMENT CONFERENCE; AND
ORDER (Proposed)

18 **Defendant.**

19 **TO THE HONORABLE EDWARD J. DAVILA, THE DEFENDANT, AND THEIR**
 20 **ATTORNEYS OF RECORD:**

21 Plaintiff J & J Sports Productions, Inc. hereby applies *ex parte* for an order vacating the Case
 22 Management Conference in this action, presently set for Friday, August 26, 2011 at 1:30 P.M. This
 23 request will be, and is, necessitated by the fact that Defendant Pedro Salvador Saucedo a/k/a Pedro S.
 24 Salvador, individually and d/b/a Mariscos El Pilar De Nayarit is in default¹ and Plaintiff's Application
 25 for Default Judgment is presently set to be heard before the Honorable Edward J. Davila on
 26 September 23, 2011 at 9:00 A.M.

27
 28 ¹ As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive pleading from the defendant. As a result, Plaintiff's counsel has not conferred with the 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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WHEREFORE, Plaintiff respectfully requests that this Honorable Court vacate the Case Management Conference presently scheduled for Friday, August 26, 2011 at 1:30 P.M. or conduct the conference on the same date the hearing on Plaintiff's Application for Default Judgment in order that Plaintiff and its counsel may avoid unnecessary fees and costs in this matter.

Respectfully submitted,


Dated: August 16, 2011

/s/ Thomas P. Riley
LAW OFFICES OF THOMAS P. RILEY, P.C.
By: Thomas P. Riley
Attorneys for Plaintiff
J & J Sports Productions, Inc.

IT IS SO ORDERED.

The request to continue the conference is DENIED. The Court ordered at the June 8, 2011 Case Management Conference that Mr. Riley personally appear at the August 26, 2011 Case Management Conference.

Dated: August 18, 2011



Edward J. Davila
United States District Judge

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