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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.,**

CASE NO. 5:10-cv-05140-LHK

15 **Plaintiff,**

PLAINTIFF'S *EX PARTE*

16 **vs.**

APPLICATION FOR AN ORDER
VACATING THE CASE

17 **FREDIS NOEL BONILLA, et al.**

MANAGEMENT CONFERENCE; AND
ORDER (~~Proposed~~)

18 **Defendants.**

19 **TO THE HONORABLE LUCY H. KOH, THE DEFENDANTS, 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 Wednesday, February 16, 2011 at 2:00 p.m.
 23 This request will be, and is, necessitated by the fact that defendants Fredis Noel Bonilla, individually
 24 and d/b/a Tacos Choice Mexican Food; and Choice Group Enterprise Inc. an unknown business entity
 25 d/b/a Tacos Choice Mexican Food are in default and Plaintiff's Application for Default Judgment is
 26 currently pending before this Honorable Court.

27 As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive
 28 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.

