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6 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT  
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 10 (San Jose Division)  
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12 ORANGE COUNTY ELECTRICAL  
 INDUSTRY HEALTH AND WELFARE  
 13 TRUST FUND; LOCAL UNION NO. 441  
 14 OF THE INTERNATIONAL  
 BROTHERHOOD OF ELECTRICAL  
 15 WORKERS; and DOUGLAS CHAPPELL, as  
 Trustee of the above TRUST FUND,

16 Plaintiffs,

17 vs.

18 G & G ELECTRIC, INC., a California  
 19 corporation, dba GC ELECTRIC ,  
 20

21 Defendant

Case No. 11-cv-00576-JF

**ADMINISTRATIVE MOTION TO  
 CONTINUE CASE MANAGEMENT  
 CONFERENCE**

[Local Rule 7-11]

Location: 280 South 1st Street  
 San Jose, CA 95113  
 Courtroom: Courtroom 3, 5th Floor  
 Judge: Hon. Jeremy Fogel

ADMINISTRATIVE MOTION

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Pursuant to Civil Local Rule 7-11, Plaintiffs respectfully move this Court to continue the Case Management Conference presently set for hearing on May 13, 2011 at 10:30 a.m. to a date on or after June 17, 2011.

Plaintiffs make this request on the following grounds: this case is an ERISA collection case. Defendant G & G ELECTRIC, INC. dba GC ELECTRIC (“Defendant”) provides electrical contracting services pursuant to a collective bargaining agreement which requires that Defendant make fringe benefit contributions to Plaintiffs and Defendant was delinquent in making those required fringe benefit contributions. (Quail DCN ¶ 3). Defendants have not appeared in this action, but have responded to all of Plaintiffs’ counsel’s communications with regard thereto. (Quail DCN ¶ 4).

Though Defendant is not active in the litigation, it is responsive to Plaintiffs’ attempts to collect the outstanding debt outside of the current litigation and has paid a large portion of the amounts due. (Quail DCN ¶ 5). Defendant promised to pay the remaining amounts in the next 30 days. (Quail DCN ¶ 5). Plaintiffs believe that it is in the interests of judicial economy to have the Case Management Conference continued to a date on or after June 17, 2011 to afford the Parties the opportunity to engage in further settlement efforts before significant Case Management efforts are undertaken. (Quail DCN ¶ 6).

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As discussed above, Defendant has chosen not to appear in this action. However, Defendant will not be prejudiced by any continuance of the Case Management Conference because of that lack of appearance.

Dated: April 28, 2011

Respectfully submitted,  
  
NEYHART, ANDERSON,  
FLYNN & GROSBOLL

By:                   /s/ Chloe Quail                    
CHLOE QUAIL  
Attorney for Plaintiffs

Case management conference continued to 6/17/11 at 10:30 a.m.  
IT IS SO ORDERED.

Dated: 5/11/11

  
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Hon. Jeremy Fogel  
United States District Judge

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PROOF OF SERVICE BY MAIL

I, the undersigned, declare:

I am employed in the City and County of San Francisco, State of California. I am over the age of 18 years and not a party to the within action; my business address is 369 Pine Street, Suite 800, San Francisco, California 94104. On April 28, 2011, I served the within:

**PLAINTIFFS' ADMINISTRATIVE MOTION TO CONTINUE CASE MANAGEMENT CONFERENCE**

on the parties in said cause following our business practice, with which I am readily familiar. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid. I placed a true copy of the within document enclosed in a sealed envelope with first class postage thereon fully prepaid for collection and deposit on the date shown below in the United States mail at San Francisco, California addressed as follows:

Gilberto Chavez  
G & G ELECTRIC INC  
4229 GILES COURT  
RIVERSIDE, CA 92503

I declare under the penalty of perjury that the foregoing is true and correct, and that this declaration was executed on April 28, 2011, at San Francisco, California.

\_\_\_\_\_  
/s/ Chloe Quail  
CHLOE QUAIL