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6 Attorneys for Plaintiffs

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

11 BOARD OF TRUSTEES OF THE
 LABORERS HEALTH AND WELFARE
 12 TRUST FUND FOR NORTHERN
 CALIFORNIA; BOARD OF TRUSTEES OF
 13 THE LABORERS VACATION-HOLIDAY
 TRUST FUND FOR NORTHERN
 14 CALIFORNIA; BOARD OF TRUSTEES OF
 THE LABORERS PENSION TRUST FUND
 15 FOR NORTHERN CALIFORNIA; and
 BOARD OF TRUSTEES OF THE
 16 LABORERS TRAINING AND RETRAINING
 TRUST FUND FOR NORTHERN
 17 CALIFORNIA,

18 Plaintiffs,

19 vs.

20 FLAGSHIP FACILITY SERVICES, INC., a
 California corporation; and DAVID MICHAEL
 21 PASEK, an individual,

22 Defendants.

Case No.: 5:14-cv-00706-BLF

**CASE MANAGEMENT CONFERENCE
 STATEMENT; PROPOSED ORDER
 THEREON**

Date: July 31, 2014
Time: 1:30 PM
Ctroom: 3, 5th Floor
San Jose Courthouse
Before: Hon. Beth Labson Freeman

23
 24 Plaintiffs file this abbreviated case management conference.

25 On February 14, 2014, Plaintiffs Laborers Trust Funds filed their Complaint for Breach
 26 of Collective Bargaining Agreement And for a Mandatory Injunction (“Complaint”). The
 27 Complaint seeks an Order requiring defendant Flagship Facility Services, Inc. to submit to an
 28

1 audit of its books and records. On February 14, 2014, this matter was assigned to the Hon.
2 Edward M. Chen. On April 17, 2014, this matter was re-assigned to this Court.

3 At the request of Defendants, Defendants were not served with the Complaint because
4 they wanted an opportunity to attempt to work out the dispute regarding the scope of the audit.
5 Counsel for defendants appeared in order to participate in the original Stipulation to continue
6 the prior case management conference to allow the parties to attempt to work out the dispute
7 regarding the scope of the audit. The parties successfully worked out the dispute regarding the
8 scope of the audit. The audit was recently completed.

9 The result of the audit has been communicated to Defendants and the parties are
10 attempting to resolve any issues regarding the audit results. If the parties are unable to resolve
11 the dispute and reach a settlement within the next thirty (30) days, Plaintiffs Laborers Trust
12 Funds will file and serve Defendants with a First Amended Complaint.

13 Based on the above, Plaintiffs Laborers Trust Funds respectfully request that this Court
14 continue the case management conference for a period of forty five (45) days.

15 DATED: July 22, 2014

16 BULLIVANT HOUSER BAILEY PC

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18 By 
19 Ronald L. Richman
Susan J. Olson

20 Attorneys for Plaintiffs
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ORDER

Pursuant to request by Plaintiffs Laborers Trust Funds to continue the case management conference and good cause appearing:

IT IS HEREBY ORDERED that the case management conference is hereby re-set to October 2, 2014, 1:30 p.m., Courtroom 3, 5th Floor, San Jose Division. A case management statement shall be filed seven days prior to the case management conference.

DATED: July 24, 2014

By Beth Labson Freeman
HON. BETH LABSON FREEMAN
UNITED STATES DISTRICT JUDGE

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