

1 Having reviewed the moving papers, Defendants City of Madera and City of
2 Madera Police Commander Steven Frazier are not parties to the pending motion and,
3 respectfully, request that their appearance at the October 16, 2009 hearing on
4 Plaintiff's Motion to Compel be excused.

5 In the event that this Court deems the presence of Defendants City of Madera
6 and City of Madera Police Commander Steven Frazier necessary, it is respectfully
7 requested that counsel for these Defendants, Jon F. Hamilton, be permitted to appear
8 telephonically.

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10 Dated: September 10, 2009

FERGUSON, PRAET & SHERMAN
A Professional Corporation

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12 By: /s/ Jon F. Hamilton
13 Jon F. Hamilton,
14 Attorney for Defendants, City of
Madera and Commander Steven
Frazier

