1 2 3 4 5 6	Jon F. Hamilton, State Bar No. 232559 FERGUSON, PRAET & SHERMAN A Professional Corporation 1631 East 18th Street Santa Ana, California 92701 PHONE (714) 953-5300 FAX (714) 953-1143 email: jhamilton@law4cops.com Attorneys for Defendants, City of Madera and Commander Steven Fra.	zier	
8	UNITED STATES DI	STRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA		
10	ISSA ZACHARIA,	No. 1:06-CV-00892 AWI/SMS	
11	Plaintiff,	ORDER RE: REQUEST FOR	
12	vs.	NON-APPEARANCE AT PLAINTIFF'S MOTION TO COMPEL DISCOVERY	
13	CITY OF MADERA, COUNTY OF MADERA, Com. STEVE FRAZIER,	COMPEL DISCOVERY SCHEDULED FOR OCTOBER 16, 2009	
14	DISTRICT ATTORNEY ERNEST) LICALSI, DEPARTMENT OF JUSTICE)	001022110,2000	
15	FIREARMS DIVISION, SPECIAL) AGENT IGNATIUS H. CHINN, SA)	DATE: October 16, 2009 TIME: 9:30 a.m.	
1617	MARSH, SA BADGLEY, SGT. M.) WELLS, OFF. R. HEIL, OFF. M. KATZ,) COMMANDER MICHAEL KIME, and)	ROOM: 7 JUDGE: Sandra M. Snyder	
18	DOES 1 through XX, inclusive,		
19	Defendants.		
20			
21	TO THE COURT, ALL PARTIES AND TH	IEIR ATTORNEYS OF RECORD:	
22	Now pending before this Court is a	a Motion to Compel Responses From	
23	Defendant Chinn For The "Request for Proc	luction of Documents" for a hearing on	
24	said motion scheduled for October 16, 2009	at 9:30 a.m. in Courtroom 7 before the	
25	Honorable Magistrate Judge Sandra M. Sny	der.	
26	///		
27	///		
28	///		
	Excusal/Telephonic Request for October 16, 2009 Hearing	No. 1:06-CV-00892 AWI/SMS	

1	Having reviewed the moving p	apers,	Defendants City of Madera and City of
2	Madera Police Commander Steven Fr	azier a	re not parties to the pending motion and,
3	respectfully, request that their appear	earance	e at the October 16, 2009 hearing on
4	Plaintiff's Motion to Compel be excu	ised.	
5	In the event that this Court dee	ms the	presence of Defendants City of Madera
6	and City of Madera Police Command	der Ste	ven Frazier necessary, it is respectfully
7	requested that counsel for these Defer	ndants,	Jon F. Hamilton, be permitted to appear
8	telephonically.		
9			
10	Dated: September 10, 2009		FERGUSON, PRAET & SHERMAN A Professional Corporation
11			71110100001011011 Corporation
12		By:	/s/ Jon F. Hamilton Jon F. Hamilton,
13			Attorney for Defendants, City of Madera and Commander Steven
14			Frazier
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1	<u>ORDER</u>
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3	The Defendants City of Madera and the City of Madera Police Commander
4	are excused from appearing at the October 16, 2009 hearing on Plaintiff's Motion to
5	Compel documents from Defendant Ignatius Chinn.
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9	IT IS SO ORDERED.
10	Dated: September 11, 2009 /s/ Sandra M. Snyder UNITED STATES MAGISTRATE JUDGE
11	UNITED STATES MAGISTRATE JUDGE
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