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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL J. FITZPATRICK,  
Plaintiff,  
v.  
BRIAN FITZPATRICK, et al.,  
Defendants.

No. 2:12-cv-2938 GEB AC (PS)

ORDER

Pending before the court is plaintiff Michael Fitzpatrick’s request to appear telephonically at the August 13, 2015 Settlement Conference. The court has considered plaintiff’s asserted need to be physically present for his summer position as senior Lifeguard Coordinator in Long Beach Township, New Jersey. It has also considered plaintiff’s asserted expense of traveling between that position, his summer position as Ski Instructor at Taos Ski Valley, New Mexico, and Sacramento.

However, the requirement that plaintiff travel to California from time to time is a natural and unavoidable consequence of his filing his lawsuit here. It is a consequence that applies to every litigant whose lawsuit is at distance from home or work. Moreover, the nature of a settlement conference renders it particularly inappropriate for telephonic appearance by a

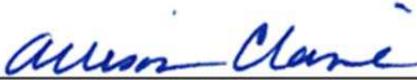
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1 principal. Plaintiff has thus not shown good cause for attending the Settlement Conference  
2 telephonically.

3 Accordingly, plaintiff's motion (ECF No. 101) is DENIED.

4 IT IS SO ORDERED.

5 DATED: June 24, 2015

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8 ALLISON CLAIRE  
9 UNITED STATES MAGISTRATE JUDGE  
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