

## CITY AND COUNTY OF SAN FRANCISCO

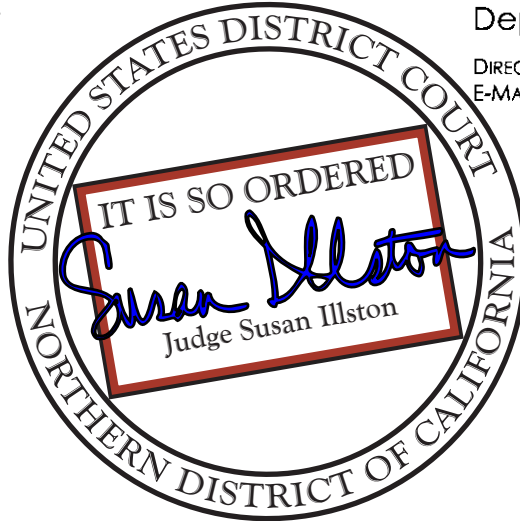
## OFFICE OF THE CITY ATTORNEY



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October 1, 2008

The status conference has been continued to 11/19/08 @ 4 p.m.

**BY E-FILING**

Hon. Susan M. Illston  
United States District Judge  
450 Golden Gate Ave.  
Courtroom 10, 19<sup>th</sup> floor  
San Francisco, CA 94102

Re: *Lopez v. SFUSD*, Case No. C-99-3260 SI(EMC)

Dear Judge Illston:

The Court has set a status conference in this case for Monday, October 6, at 3:45 p.m. With plaintiffs' consent, the School District requests that the conference be continued to the week of November 17, or the earliest time thereafter convenient to the Court. Plaintiffs have indicated they are unavailable on Friday, November 21.

At the most recent status conference, the Court directed the parties to meet and confer over plaintiffs' site inspection reports and applicable construction tolerances. The parties met on August 29 and have exchanged proposals regarding construction tolerances. The parties intend to meet at least two additional times in October, to continue addressing outstanding issues. In the meantime, several modernization projects have achieved substantial completion, and plaintiffs have scheduled inspections of these completed sites, which the parties expect to address promptly after plaintiffs' inspections.

Because the parties' meet-and-confer efforts continue to be productive, the School District believes a mid-November status conference will be most helpful to the parties and most informative to the Court. Plaintiffs have no objection to the proposed continuance of the upcoming status conference.

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The School District thanks the Court for its attention to this request.

Respectfully submitted,

DENNIS J. HERRERA

City Attorney

A handwritten signature in black ink, appearing to read "James M. Emery", is written over the typed name and title of the Deputy City Attorney. The signature is fluid and cursive, with a large loop at the end.

JAMES M. EMERY

Deputy City Attorney

cc: Guy B. Wallace, Esq. (by fax)  
Patricia A. Shiu, Esq. (by fax)