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10 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA

13 RUSSELL MOYLE, a minor, by and through his  
 Guardian Ad Litem, his custodial parent, RHONDA  
 14 BOWERS; KATHERINE ERMITANO, a minor, by  
 and through her Guardian Ad Litem, her custodial  
 15 parent, MARLON ERMITANO, and on behalf of  
 themselves and all those similarly situated,

16 Plaintiffs,

17 vs.

18 CONTRA COSTA COUNTY; CONTRA COSTA  
 19 COUNTY PROBATION DEPARTMENT; CONTRA  
 COSTA COUNTY CHIEF PROBATION OFFICER  
 20 LIONEL CHATMAN, in his official capacity;  
 CONTRA COSTA COUNTY CHIEF DEPUTY  
 21 PROBATION OFFICER FOR JUVENILE HALL,  
 NANCY MILLER, in her official capacity; and DOES  
 22 1 THROUGH 100,

23 Defendants.

Case No. C05-02324 JCS

**PLAINTIFFS' REQUEST FOR A  
 RESETTING OF THE EXPEDITED CASE  
 MANAGEMENT CONFERENCE;  
 [PROPOSED] ORDER**

**DATE:** March 5, 2010

**TIME:** 1:30 p.m.

**CTRM:** A, 15<sup>th</sup> Floor

**JUDGE:** Hon. Joseph C. Spero, Magistrate

24  
 25 TO THE HONORABLE JOSEPH C. SPERO AND TO COUNSEL:

26 On February 22, 2010, counsel for plaintiffs learned that the Court had set an expedited Case  
 27 Management Conference in the above-captioned matter for 1:30 p.m. on March 5, 2010. Unfortunately  
 28 both of Plaintiff's Class Counsel are scheduled to be out of town on that date. Mark Merin will be in

1 Tucson taking depositions in a federal case pending in Arizona District Court and is scheduled to depart  
2 for Tucson from Sacramento at 2:05 p.m. on March 4, 2010. Andrew Schwartz is scheduled to be in trial  
3 in Los Angeles.

4 I could be available in the morning of March 4, 2010, for an expedited Case Management  
5 Conference; I could also be available Friday, March 12, 2010. Although I am scheduled to start trial in  
6 Yolo County on March 9, 2010, I believe the court will be "dark" on Fridays and will, therefore, be able  
7 to attend a Case Management Conference on that date. Certainly, March 19, 2010, is available for both  
8 of Plaintiffs' Class Counsel.

9 If the Court is not inclined to alter the date now set for the Expedited Case Management  
10 Conference, I ask that I be permitted to appear by telephone – although it is not ideal to handle matters  
11 such as this by telephone – at a specific time so that I can adjourn the depositions to participate by  
12 telephone.

13 DATED: February 22, 2010

Respectfully submitted,

14 LAW OFFICE OF MARK E. MERIN and  
15 CASPER, MEADOWS, SCHWARTZ & COOK

16 /s/ - "Mark E. Merin"

17 By: \_\_\_\_\_  
18 MARK E. MERIN, ESQ.  
19 Attorney for Plaintiffs

20 **[PROPOSED] ORDER**

21 Good cause appearing, the Expedited Case Management Conference is reset to March 4,  
22 2010, at 1:30 p.m.

23 IT IS SO ORDERED.

24 DATED: Feb. 24, 2010

25 Hon. Jose \_\_\_\_\_  
26 Magistrate \_\_\_\_\_  
27 Northern District of California  
28 Judge Joseph C. Spero District Court

