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5 Attorney for Defendant and Third-Party Plaintiff Parviz Khan

6 IN THE UNITED STATES DISTRICT COURT
 7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 LM, Inc., a California Corporation

9 Plaintiff,

10 v.

11 Parviz Khan, an individual

12 Defendant.

Case No.: 3:07-cv-01267-EDL

13 **REQUEST FOR TELEPHONIC**
 14 **APPEARANCE**
 15 **AND [~~PROPOSED~~] ORDER.**

Hearing Date: November 4, 2008.
 Hearing Time: 9:00 AM.

Magistrate Judge Elizabeth
 LaPorte.

16 I, John A. Kelly, counsel for Defendant and Third-Party Plaintiff Parviz Khan,
 17 hereby respectfully request to appear via telephone for hearing on the Motion to
 18 Remand to State Court scheduled for 9:00 a.m., November 4, 2008.

19 I originally planned to appear in person, however, a deposition in another case
 20 has been scheduled for the same day at 10:00 a.m. in Sonoma, California. Given the
 21 travel time between San Francisco and Sonoma, I respectfully request to appear via
 22 telephone.

23 Dated: October 29, 2008

24 _____ /S/
 25 _____
 26 John A. Kelly, Attorney for Parviz Khan

ORDER

Request to appear via telephone is granted.

Dated: _ October 31, 2008 _



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