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April 28, 2009

**BY E-FILE**

Honorable Magistrate Judge Joseph Spero  
United States District Court  
Northern District of California  
450 Golden Gate Avenue  
Courtroom A, 15<sup>th</sup> Floor  
San Francisco, CA

**RE: Smith and Lemus v. PG&E; C 07-02126 JSW**

Dear Judge Spero:

The purpose of this letter is to respond the Court's Settlement Conference Order in this matter.

Dan Siegel, Lead Trial Counsel, is scheduled for trial in the case Patraw v. University of Nevada, Reno in Reno Nevada. That trial commences May 11, 2009 and is scheduled to continue through the end of May, 2009.

I am the co-Lead Trial counsel. With the Court's permission I am available to appear on May 20, 2009 at the Settlement Conference in this matter.

Please advise.

We apologize in advance for any inconvenience this may cause the Court.

Thank you.

Dated: April 29, 2009



Sincerely,

Siegel & Yee

Tanya Russell  
Attorneys for Plaintiff