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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HOWARD B. HIGGINS, an individual,

Plaintiff,

Case No. C 07-02200 JSW

vs.

STIPULATION AND
[PROPOSED] ORDER TO
APPEAR TELEPHONICALLY

FARR FINANCIAL INC., a California Corporation, ZENITH INVESTMENT GROUP LLC, a California Limited Liability Company, AMAECHI GEORGE OZOR, an individual, and JOHN/JANE DOES I-X, individuals or entities whose identities are unknown,

Date: October 15, 2010
Time: 1:30 p.m.
Hearing: Case Management Conference

Defendants.

Plaintiff, Howard B. Higgins, by and through his attorney of record, Norman G. Reece, P.C., and Defendant, Farr Financial, Inc., by and through its attorney of record, Howard J. Stein, hereby stipulate that Norman G. Reece, Jr. and Howard J. Stein may appear telephonically at the Case Management Conference scheduled in this matter for October 15, 2010 at 1:30 p.m.

In support of this stipulation, Plaintiff and Defendant state as follows:

1. At the initial Case Management Conference in this case on April 16, 2010, this Court entered an Order staying all discovery pending a settlement conference before a Magistrate Judge and ordered a further Case Management Conference for October 15, 2010.

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2. The parties participated in a settlement conference before Magistrate Judge Larson on September 21, 2010, but were unable to resolve this matter.

3. The Court’s Order of April 16, 2010 allowed the parties to request to appear telephonically at the October 15, 2010 Case Management Conference.

4. Lead counsel for Plaintiff, Norman G. Reece, Jr., appeared in person at the April 16, 2010 case management conference. Such counsel is located in Chubbuck, Idaho. Lead counsel for Defendant, Howard J. Stein, appeared in person at the April 16, 2010 case management conference. Such counsel is located in Chicago, Illinois. Therefore, Plaintiff and Defendant stipulate that counsel may appear telephonically at the upcoming October 15, 2010 conference to avoid the expense of traveling.

Wherefore, Plaintiff and Defendant submit this stipulation allowing Norman G. Reece, Jr. (208-233-0128) and Howard J. Stein (312-726-4514) to appear telephonically in this matter at the Case Management Conference on October 15, 2010.

Dated: October 13, 2010 NORMAN G. REECE, P.C.

By: /s/ Norman G. Reece, Jr.
NORMAN G. REECE, JR.
Attorney for Plaintiff, Howard B. Higgins

Dated: October 13, 2010 /s/ Howard J. Stein
HOWARD J. STEIN
Attorney for Defendant, Farr Financial, Inc.

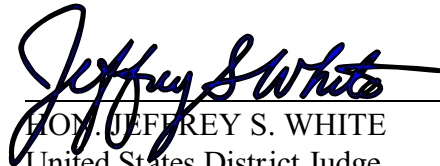
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ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT:

It is hereby ordered that Norman G. Reece, Jr. and Howard J. Stein be permitted to appear telephonically on behalf of Plaintiff, Howard B. Higgins and Defendant, Farr Financial, Inc., at the Case Management Conference in this matter on October 15, 2010 at 1:30 p.m.

Dated: October 13, 2010



HON. JEFFREY S. WHITE
United States District Judge