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September 16, 2008

Chambers of the Honorable Bernard Zimmerman
Magistrate Judge
U.S. District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102-3483

**Re: Shop Ironworkers Local 790 Pension Plan, et al. v. Cofab Steel Corporation, et al.
USDC Case No.: C07-2500 JSW (BZ)**

Dear Judge Zimmerman:

As you know, during our telephone conference regarding Plaintiffs' Motion to Compel, you set a briefing schedule requiring any opposition to our Motion be filed by September 4, 2008. Although the Bocks / Cofab had counsel participating in the telephone hearing, counsel advised that he was only "specially appearing" and that he was actually bankruptcy counsel for Mr. and Mrs. Bock. No bankruptcy has been filed to my knowledge.

No opposition to our Motion was received from any defendant in this matter. During the conference call, as you may remember, I also specifically requested that Mr. McConnell advise me in writing of his specific objections relative to the discovery, in the event that we could resolve this informally. Although we already had several failed "meet and confer" attempts, as he was participating in the telephone call, it made sense to try once again. Despite my request, I received nothing from Mr. McConnell.

The attorneys fees in this matter are escalating, and will only escalate further by attending a hearing tomorrow, when no opposition has been filed. I am therefore requesting that you grant Plaintiffs' Motion without the necessity of a hearing. In the event that you would prefer a formal hearing, I would appreciate being granted permission to appear by telephone.

Thank you for your consideration.

Sincerely,



Michele R. Stafford

**Ms. Stafford shall contact CourtCall,
telephonic court appearances at
1-888-882-6878, and make arrangements
for the telephonic conference call
and call the court at 10:00 a.m.**

MRS:vdef

