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July 23, 2010

The Honorable James Larson
Magistrate Judge
United States District Court,
Northern District of California
450 Golden Gate Ave.
Courtroom F, 15th Floor
San Francisco, CA 94102



Re: Nevis v. Wells Fargo
Case No. C-07-2568 MHP

Dear Judge Larson:

I am the attorney for Defendant John B. Spear in the above entitled matter. There is a settlement conference appearance scheduled in your court for August 11, 2010, at 2:00 pm followed by a status conference appearance before the Honorable Marilyn H. Patel on August 23, 2010 at 3:00 pm.

Mr. Spear has no funds to contribute to any settlement of this matter and has already incurred a substantial bill for attorney's fees and costs to my office for representation in this matter, none of which have been paid. There is no anticipation that the expense incurred by Mr. Spear will be paid. As a result, all appearances made by me in this case, which necessitate a trip to San Francisco from Los Angeles have been made at my cost and without reimbursement for either the cost to travel or time.

Mr. Spear resides in Temecula, California. In order to be physically present in San Francisco for this appearance he will be required to travel from home to the court at a cost which imposes a hardship upon him.

To avoid the financial hardship to both Mr. Spear and myself, I request that the court allow me to make the appearance telephonically, and authorize Mr. Spear to be available by telephone should any action take place in the course of the appearance for which his consent would be required.

Very truly yours,

Robert A. Clinco
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