

OFFICE OF THE GENERAL COUNSEL



March 9, 2009

Magistrate Judge James Larson  
Chief Magistrate Judge  
Northern District of California  
450 Golden Gate Avenue  
Courtroom F, 15<sup>th</sup> Floor  
San Francisco, CA 94102-3483



Re: **Ferguson v. Oakland Unified School District**  
**Northern District Of California Case No. C 07-02683 JL**

Dear Chief Magistrate Judge Larson:

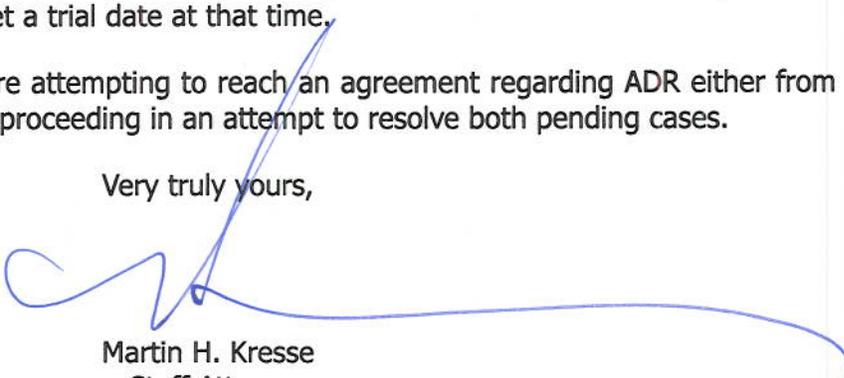
The Court has set a tentative CMC for March 18, 2009 on the 10:30 am calendar. At that time the Court requested a status letter as there is a similar action pending in the Alameda County Superior Court. The parties have agreed to the contents of this letter to the Court.

The purpose of this letter is to advise the Court of the status of the State Court Action and to request that the CMC be continued for 2 months, to a date in May. I request some continuance of the CMC date if that is not acceptable to the Court, because of a conflict that I have on March 18<sup>th</sup>.

The State Court Action has a CMC set for April 20, 2009. We expect that Mr. Ferguson's deposition, now set for late March, will be completed. (Mr. Ferguson has been unable to complete the deposition as of this date.) We may get a trial date at that time.

In the meantime, the parties are attempting to reach an agreement regarding ADR either from the District Court or in the State Court proceeding in an attempt to resolve both pending cases.

Very truly yours,

  
Martin H. Kresse  
Staff Attorney

The Case Management Conference has been continued to May 27, 2009 at 10:30 a.m. Parties are to file updated case management statements one week prior to the conference.