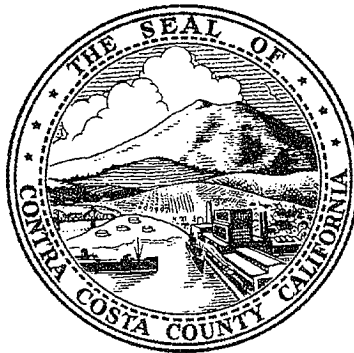


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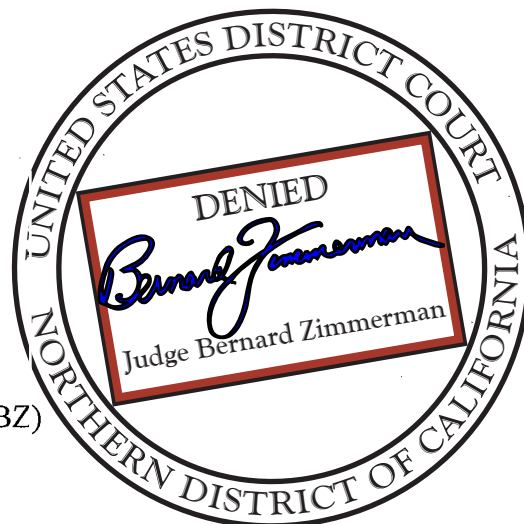
September 15, 2009

Hon. Bernard Zimmerman
United States Magistrate Judge
United States District Court
Northern District of California
450 Golden Gate Avenue
Courtroom G, 15th Floor
San Francisco, CA 94102

Re: *Linder v. Contra Costa County, et al.*
United States District Court Nc. C 08-00245 SI (BZ)

Dear Magistrate-Judge Zimmerman:

This matter is set for settlement conference on September 22, 2009 at 9:00 a.m.. We represent defendants Contra Costa County, the Contra Costa County Office of the Sheriff, and Contra Costa County Sheriff's Deputy Schwind. A neutral representative of defendants Contra Costa County and the Contra Costa County Office of the Sheriff will attend the conference and will have authority to recommend any agreement reached at the conference to the Contra Costa County Board of Supervisors. As a County employee, Deputy Schwind has requested and is statutorily entitled to defense and indemnity in this action by the County. His personal presence at the conference is not required to arrive at an agreement to be presented to the Board, as he may not withhold his consent to settlement consistent with accepting defense and indemnity in the action. The Sheriff's Office will be required to fill Deputy Schwind's position on overtime if Deputy Schwind must attend the conference. To avoid an unnecessary appearance and unnecessary expense, we request by this letter that Deputy Schwind be excused from attending the conference in person.



Hon. Bernard Zimmerman
September 15, 2009
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Thank you for your consideration.

Sincerely,

SILVANO B. MARCHESI
COUNTY COUNSEL

By: 

Bernard Knapp
Deputy County Counsel

cc: David Newdorf, Attorney for Defendants Pleasant Hill Police Department
and City of Pleasant Hill; Jonathan Linder, Plaintiff in Propria Persona