

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

To: Hon. Judge William Alsup, Jr.

From: Ijaz Gilani, *pro se Defendant*,

Case ID: 3:08-CV-1577-WHA

Date: Monday, April 5, 2010

Subject: LETTER REQUESTING THE COURT TO APPOINT *PRO BONO* COUNSEL

Honourable Judge Alsup,

I hereby request the Court to appoint for me a *pro bono* counsel who may represent me in the proceedings, if this case reaches the trial stage.

The Federal Pro Bono Project, which you have referred to in your Notice to me, dated 4th March (Document 116 on the Docket), uses a four-fold criterion for determining whether a request for *pro bono* counsel is, or is not, to be granted.

The first requirement is that "The litigant must be *in propria persona*." It is clear from the record, and I reiterate here, that I am representing myself and not any corporate person.

The second requirement is: "The litigant must not have the financial resources to retain counsel." I have inquired into the costs entailed in retaining a counsel in the United States to represent me. I approached Musick, Peeler & Garrett LLP, based in San Diego, California, who had a preliminary look at the case and asked for an advance of \$30,000, which, when converted into Pakistani Rupees, turns out to be a very substantial sum, and was more than what I could spare for this matter. Despite being a substantial sum, \$30,000 was just the cost of very preliminary proceedings; proceeding further would have required yet more funds. Had I retained counsel all along, by now, the costs incurred would have been many times that. Therefore, it is clear that the cost, converted into Pakistani Rupees, substantially exceeds the financial resources that I was, or currently am, able to devote to this matter.

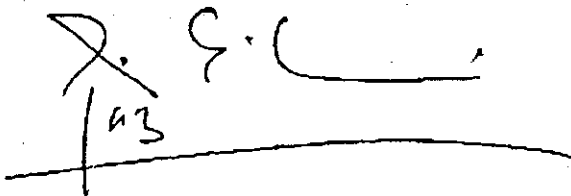
It is therefore that throughout the rather complicated proceedings of this case, I am compelled to take the risk of defending myself, using whatever little help I can get from my son, who is not a lawyer qualified for practice in the United States. This situation is unfair since, being residents and citizens of Pakistan, neither my son nor I am familiar with the laws of the United States while the lawyers who represent the other party are some of the best in your country. And my troubles will be compounded if this case reaches the trial stage since I will not be able to fly in, and there will be simply no one there to present my side of the case.

The third requirement is: "The litigant must have used reasonable (but unsuccessful) efforts to retain private counsel including, but not limited to, attempting to locate counsel through a California State Bar-approved lawyer referral service." As stated in the last paragraph, I did approach counsel in the United States. However, my reasonable efforts to retain private counsel failed because of financial constraints, and now I am left with no recourse but to seek *pro bono* assistance and, until I get that, defend myself.

The fourth requirement is: "The Court must determine the case is one which warrants *pro bono* Representation." In the light of the foregoing reasons, and all else that is available on the record, I am hopeful that the Court will determine this question in my favour and, thereby, help me attain *pro bono* representation.

I testify upon penalty of perjury that the foregoing is true and correct to the best of my belief and information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ijaz Shafi Gilani', with a horizontal line underneath it.

IJAZ SHAFI GILANI

Pro se Defendant.

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