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8 Attorneys for Defendant  
 9 JAMES KENNEDY, M.D.

10 UNITED STATES DISTRICT COURT – NORTHERN DISTRICT OF CALIFORNIA

11 VALERIE BARBER, et al.,

12 Plaintiffs,

13 vs.

14 CITY OF SANTA ROSA, et al.,

15 Defendants.

No. 3:08 CV 5649 MMC  
 ORDER DENYING  
**REQUEST FOR LEAD COUNSEL  
 TO BE PERMITTED TO APPEAR BY  
 TELEPHONE AT MOTION TO CONTINUE  
 TRIAL DATE**

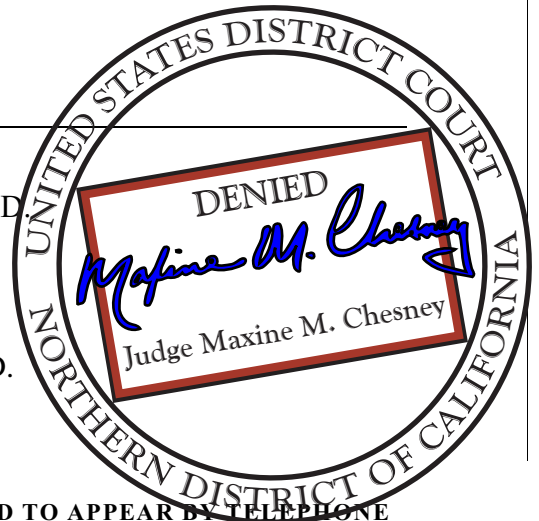
Date: December 11, 2009  
 Time: 9:00 a.m.  
 Ctrm: 7 (Hon. Maxine Chesney)  
 Trial Date: April 12, 2010

16 Pursuant to Civil Local Rule 16-10(a), Defendant, JAMES KENNEDY, M.D., respectfully requests  
 17 that his lead trial counsel, Chester A. Rogaski, Jr., be permitted to appear by telephone at the hearing of the  
 18 Motion to Continue Trial Date on December 11, 2009 at 9:00 a.m.

19  
 20 Dated: December 8, 2009.

21 ROGASKI, PREOVOLOS, WEBER & PATTERSON, LLP

22  
 23 By \_\_\_\_\_ /s/  
 24 Chester A. Rogaski, Jr.  
 25 Attorneys for Defendant  
 26 JAMES KENNEDY, M.D.



27 **ORDER:**

28 No good cause having been shown, the request is hereby DENIED.

Dated: December 9, 2009