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October 21, 2011

Philip A. Toomey
ptoomey@cjtllp.com

Magistrate Judge Joseph C. Spero
U.S. District Court
Northern District Court of California
Courtroom G, 15th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

*Re: Winbery, et al. v. Americo Financial Life and Annuity Insurance Company, et al.
Case No. 3:09-cv-00134-JCS (N.D. Cal.): Request to Appear Telephonically*

Dear Magistrate Judge Spero:

I am counsel for Defendant Equita Financial and Insurance Services in the above-referenced case. I respectfully request permission to attend telephonically the upcoming Fairness Conference hearing scheduled for November 18, 2011 at 1:30 p.m. PST. My telephone number is (310) 545-0010 extension 103.

Your consideration is appreciated. If you have any questions, please contact me.

Very Truly Yours,

CARICO JOHNSON TOOMEY LLP

A handwritten signature in black ink, appearing to be 'P. Toomey', enclosed within a simple, hand-drawn oval.

Philip A. Toomey

IT IS HEREBY ORDERED THAT counsel shall be on phone standby beginning a 1:30 PM and await the Court's call.

Dated: 11/1/11

cc: Michael D. Meadows, Esq.
Gordon W. Renneisen, Esq.
Scott A. Shanes, Esq.
Ethan J. Brown, Esq.

