

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
515 South Figueroa, 9th Floor | Los Angeles, CA 90071-3309
Telephone: 213.622.5555 | Facsimile: 213.620.8816
www.allenmatkins.com

Alan B. Clark
E-mail: aclark@allenmatkins.com
Direct Dial: 213.955.5520 File Number: 370265-00003/LA878143.01

November 16, 2010

Magistrate Judge Joseph C. Spero
U.S. District Court
Northern District Court of California
Courtroom A, 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 Americo Financial Life and Annuity Insurance Company in the above-referenced case. I respectfully request permission to attend telephonically the upcoming Case Management Conference scheduled for December 3, 2010 at 1:30 p.m. PST. My telephone number is (213) 955-5520.

Sincerely,



Alan B. Clark

ABC:lew

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

Dated: November 18, 2010



PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) and am not a party to this action. My business address is 515 South Figueroa Street, Ninth Floor, Los Angeles, California 90071-3309.

On November 16, 2010, I served the within document(s) described as:

**LETTER FROM ALAN B. CLARK, ESQ. REQUESTING PERMISSION TO
ATTEND DECEMBER 3, 2010 CASE MANAGEMENT CONFERENCE
TELEPHONICALLY**

on the interested parties in this action as stated below:

Michael D. Meadows, Esq.
Casper, Meadows & Schwartz
meadows@cmslaw.com
(Attorneys for Plaintiffs)

Gordon W. Renneisen, Esq.
Cornerstone Law Group
grenneisen@cornerstonelaw.com
(Attorneys for Plaintiffs)

Ethan J. Brown, Esq.
Jennifer A. Zimbhoff, Esq.
Ethan.brown@lw.com
Jennifer.zimbhoff@lw.com
(Attorneys for Defendant Americo Financial
Life and Annuity Insurance Company)

Alan B. Clark, Esq.
Allen Matkins Leck Gamble Mallory & Natsis
LLP
aclark@allenmatkins.com
(Attorneys for Defendant Americo Financial
Life and Annuity Insurance Company)

Philip A. Toomey, Esq.
Carico Johnson Toomey LLP
ptoomey@cjtllp.com
(Attorneys for Defendant Equita Financial and
Insurance Services)

Scott A. Shanes, Esq.
TiffanyLee Cox Hawkins, Esq.
Strasburger & Price LLP
Scott.shanes@strasburger.com
Tiffany.hawkins@strasburger.com
(Attorneys for Defendant Equita Financial and
Insurance Services)

Scott A. Shanes, Esq.
TiffanyLee Cox Hawkins, Esq.
Strasburger & Price LLP
Scott.shanes@strasburger.com
Tiffany.hawkins@strasburger.com
(Attorneys for Defendant Equita Financial and
Insurance Services)

Stuart Johnson
Carico Rice Roomey, LLP
841 Apollo Street, Suite 450
El Segundo, California 90245

Tiffany Lee Cox Hawkins
Strausburger & Price LLP
2801 Network Boulevard
Frisco, Texas 75034

1 ☒ **BY MAIL:** I placed a true copy of the document in a sealed envelope or package
2 addressed as indicated above on the above-mentioned date in Los Angeles, California for
3 collection and mailing pursuant to the firm's ordinary business practice. I am familiar with
4 the firm's practice of collection and processing correspondence for mailing. Under that
5 practice it would be deposited with the U.S. Postal Service on that same day in the
6 ordinary course of business. I am aware that on motion of party served, service is
7 presumed invalid if postal cancellation date or postage meter date is more than one day
8 after date of deposit for mailing in affidavit.

9 ☒ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on and in accordance with
10 a court order or agreement of the parties to accept service by e-mail or electronic
11 transmission, I caused a true copy of the document to be sent to the persons at the
12 corresponding electronic address as indicated above on the above-mentioned date. My
13 electronic notification address is [email address]. I am readily familiar with this firm's
14 Microsoft Outlook electronic mail system and did not receive any electronic message or
15 other indication that the transmission was unsuccessful.

16 I declare under penalty of perjury under the laws of the State of California that the
17 foregoing is true and correct.

18 Executed on November 16, 2010, at Los Angeles, California.

19
20
21
22
23
24
25
26
27
28

Meri Lew
(Type or print name)



(Signature of Declarant)