

1 V James DeSimone, SBN 119668  
 Michael D. Seplow, SBN 150183  
 2 Michael Morrison, SBN 205320  
 SCHONBRUN DESIMONE SEFLOW  
 3 HARRIS & HOFFMAN, LLP  
 723 Ocean Front Walk  
 4 Venice, CA 90291  
 Telephone: (310) 396-0731  
 5 Facsimile: (310) 399-7040

6 LAW OFFICES OF THOMAS W. FALVEY  
 THOMAS W. FALVEY, SBN 65744  
 7 J.D. HENDERSON, SBN 235767  
 301 North Lake Avenue, Suite 800  
 8 Pasadena, California 91101  
 Telephone: (626) 795-0205

9 Attorneys for Plaintiffs

10

11

12 **UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

13

14 DUANE WATERS, DEBRA )  
 TURNER and RUDY FAJARDO, )  
 on behalf of themselves, all others )  
 15 similarly situated and the general )  
 public, )

16 Plaintiffs,

17

vs.

18

19 AT&T SERVICES, INC. (formerly )  
 SBC Services, Inc.) and DOES 1 )  
 through 10; )

20 Defendants.

21

22

23

24

**Case No: CV 09-3983 BZ**

**REQUEST OF PLAINTIFFS'  
 COUNSEL THOMAS W. FALVEY  
 AND J.D. HENDERSON FOR  
 PERMISSION TO APPEAR  
 TELEPHONICALLY AT  
 DECEMBER 14, 2009 CASE  
 MANAGEMENT CONFERENCE  
 (CMC) [CIVIL L.R. 16-10(a)]**

**~~[PROPOSED]~~ ORDER  
 GRANTING REQUEST TO  
 APPEAR TELEPHONICALLY AT  
 CMC**

**CMC DATE: December 14, 2009  
 CMC Time: 4:00 pm  
 Courtroom: G**

25

26

27

28

REQUEST OF PLAINTIFFS' COUNSEL THOMAS W. FALVEY AND J.D. HENDERSON FOR PERMISSION  
 TO APPEAR TELEPHONICALLY AT DECEMBER 14, 2009 CASE MANAGEMENT CONFERENCE (CMC)  
 [CIVIL L.R. 16-10(a)]; [PROPOSED] ORDER

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

TO THE HON. BERNARD ZIMMERMAN:

Pursuant to Local Civil Rule 16-10(a), Counsel for Plaintiffs Thomas W. Falvey and J.D. Henderson request the Court’s permission to participate in the December 14, 2009 case management conference by telephone.

The request is made on the grounds that attorney Falvey, who originally intended to appear in person at the case management conference, now has conflicts which prevent his traveling from Los Angeles to San Francisco to attend the status conference. Attorney Henderson has prior commitments on that date which prevent travel as well.

The name, address and telephone number of each attorney representing a party is set forth in the attached proof of service.

DATED: December 3, 2009

LAW OFFICES OF THOMAS FALVEY

\_\_\_\_\_  
J.D. Henderson  
Attorneys for Plaintiffs

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

~~PROPOSED~~ ORDER

The Court has reviewed and considered the Request of Plaintiffs' Counsel Thomas W. Falvey and J.D. Henderson for Permission to Appear Telephonically at the December 14, 2009 Case Management Conference at 4:00 pm.

**GOOD CAUSE APPEARING**, Attorney Falvey and Henderson's request to appear telephonically at the case management conference on behalf of all Plaintiffs is hereby GRANTED.

Counsel are directed to contact CourtCall to arrange for the telephonic appearance.

**IT IS SO ORDERED.**

Dated: December 7, 2009

  
\_\_\_\_\_  
Hon. Bernard Zimmerman  
United States Magistrate Judge