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17 *Attorney for Petitioners and Plaintiffs*

18 UNITED STATES DISTRICT COURT  
 19 NORTHERN DISTRICT OF CALIFORNIA

20 BESS BAIR; et al.

21 Plaintiffs,

22 v.

23 STATE OF CALIFORNIA DEPARTMENT  
 24 OF TRANSPORTATION, et. al.

25 Defendants.

**Case No.3:10-cv-04360 WHA**

**[proposed] ORDER GRANTING  
 REQUEST BY PLAINTIFF LOREEN  
 ELIASON TO BE EXCUSED FROM  
 PERSONAL ATTENDANCE AT  
 SETTLEMENT CONFERENCE**  
 As modified

**DATE: August 12, 2011  
 TIME: 9:30 a.m.  
 COURTROOM: E, 15<sup>th</sup> Floor**

27  
 28  
 [Proposed] Order Granting Request By Plaintiff Loreen Eliason to Be Excused from Personal Attendance at Settlement Conference. Case No. CV-04360 WHA

1 Plaintiff Loreen Eliason has requested permission to be excused from personal attendance  
2 at the August 12, 2011 Settlement Conference in this case. This request is based on Plaintiff  
3 Loreen Eliason's long-planned family vacation to be held at the same time in Orleans on the  
4 Klamath River in Humboldt County. This vacation is planned based on reservations paid for  
5 several months in advance.

6 Plaintiff Loreen Eliason is available by telephone, and has requested that the Court allow  
7 her to be available by telephone as needed for settlement discussions. All other plaintiffs will be  
8 in attendance at the Settlement Conference, and Plaintiff Loreen Eliason is prepared to agree to  
9 any settlement that is agreed to by the majority of the Plaintiffs. Plaintiff Loreen Eliason further  
10 has agreed to Plaintiffs' attorneys representing her interest in settlement.

11 Plaintiffs' counsel has advised that she conferred with Defendants' counsel, who has  
12 indicated that Defendants have no objection to this request.

13 **GOOD CAUSE APPEARING,**

14 The Court **GRANTS** the Request by Plaintiff Loreen Eliason to be Excused from  
15 Personal Attendance at the scheduled August 12, 2011 Settlement Conference. Plaintiff Loreen  
16 Eliason shall be available by telephone to be consulted concerning any settlement discussions  
17 that may occur on August 12, 2011.

18 **IT IS SO ORDERED.**

19 DATED: July 29, 2011

If the Court concludes that the absence of Ms. Eliason is interfering with the Settlement Conference, the Court may continue the conference and order personal appearance by all parties.

20  
21  
22  
23 U.S. Magistrate Judge

