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12 Attorneys for Plaintiff
 EIT Holdings LLC

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 EIT HOLDINGS LLC, a Delaware company,
 17 Plaintiff,
 18 vs.
 19 THESTREET.COM, INC., a Delaware
 20 Corporation,
 21 Defendant.

Civil Action No.: 3:11-CV-02469 JCS

**PLAINTIFF EIT HOLDINGS LLC'S
 REQUEST AND [PROPOSED] ORDER TO
 APPEAR TELEPHONICALLY FOR CASE
 MANAGEMENT CONFERENCE**

Date: January 13, 2012
 Time: 1:30 p.m.
 Judge: Hon. Joseph C. Spero

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 23 Pursuant to Local Rule 16-10(a), counsel for Plaintiff, EIT Holdings, LLC ("EIT")
 24 respectfully requests that the Court allow the telephonic appearance of lead counsel, Edward
 25 Goldstein and Alisa Lipski, at the Case Management Conference scheduled for January 13, 2012
 26 at 1:30 p.m. in the above referenced matter. This request is made on the grounds that lead counsel
 27
 28

1 is located in Houston, TX. Accordingly, requiring personal appearance by Edward Goldstein and
2 Alisa Lipski would impose an unnecessary hardship.

3 EIT's local counsel, Benedict O'Mahoney, will attend the Case Management Conference
4 in person.

5

Respectfully submitted,

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Dated: December 21, 2011

By: /s/ Edward W. Goldstein

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Edward W. Goldstein (Pro Hac Vice)

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Alisa A. Lipski (SBN 278710)

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ATTORNEYS FOR PLAINTIFF

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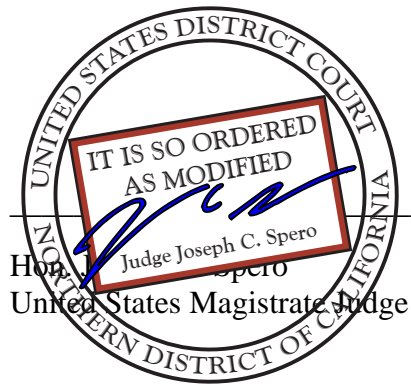
[PROPOSED] ORDER

GOOD CAUSE HAVING BEEN SHOWN, EIT Holdings, LLC's lead counsel, Edward Goldstein and Alisa Lipski, is permitted to participate by telephone in the Case Management Conference on January 13, 2012. Counsel is directed to ~~call in as follows:~~ _____ provide the clerk with direct land line contact phone numbers by January 6, 2012. Counsel shall be on phone standby beginning at 1:30 PM and await the Court's call. No speaker phones or cell phones are allowed.

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IT IS SO ORDERED

Dated: 12/23/11



Hon. _____
United States Magistrate Judge

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CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2011, I electronically filed the foregoing document with the Clerk of the Court using this court’s CM/ECF system, which will automatically send e-mail notification of such filing to all counsel who have entered in an appearance in this action. Pursuant to General Order 45(IX)(A), the e-mail notification constitutes service to those counsel of record.

/s/ Edward W. Goldstein
Edward W. Goldstein