

# Akin Gump

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February 28, 2014

VIA ECF

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

Re: *Smalley v. Home Depot U.S.A., Inc.*, No. 11-cv-02951-JCS

Dear Judge Spero:

This is to request that counsel for defendant Home Depot, Joel M. Cohn and I, be permitted to appear telephonically at the further case management conference scheduled for Friday, March ~~7~~, 2014 at 2:00 pm PST (DE 133).

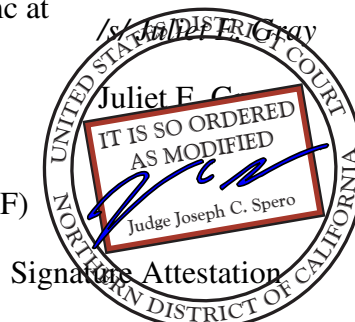
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If our request is granted, Mr. Cohn and I will be available on a land line phone at (202) 887-4065 beginning at 2:00 pm PST on March 7, 2014.

Counsel shall use the conference call number and pass code that will be arranged by the Squitieri Law Firm for the 3/14/14 cmc at 2:00 PM.

Dated: 3/4/14

cc: Counsel for Plaintiffs (via ECF)



I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/S/) within this e-filed document.

/S/ Liz. K. Bertko

\*Note: The Court's rules for telephonic appearances has changed. Please consult Judge Spero's website.

CERTIFICATE OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I, Jeremias V. Cordero, am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is: 580 California Street, Suite 1500, San Francisco, California 94104-1036. On February 28, 2014, I served the foregoing document(s) described as:

**Letter Brief Regarding Request to Appear at Case Management Conference  
Telephonically dated February 28, 2014,**

on the interested party(ies) below, using the following means:


**All parties identified for Notice of Electronic Filing generated by the Court's  
CM/ECF system under the referenced case caption and number**

☒ BY ELECTRONIC MAIL OR ELECTRONIC TRANSMISSION. Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent to the respective e-mail address(es) of the party(ies) as stated above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Olimpio Lee Squiteieri  
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I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on February 28, 2014, at San Francisco, California.

  
Jeremias V. Cordero