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May 24, 2012

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Hon. Joseph Spero
U.S. District Court, Northern District
450 Golden Gate Avenue
16th Floor, #1111
San Francisco, CA 94102

Re: **Branscum v. City of San Ramon, C11-04137 LB**
Date of Settlement Conference: June 14, 2012

Dear Judge Spero:

Our office represents the Defendants in this action, namely the City of San Ramon, the San Ramon Police Department, Chief Scott Holder, Officer Paul Burke, Officer Jason Nunn (incorrectly named as Joseph Nunn), Officer T J Reeder, Officer Jonathan Stephens and Officer Stanley Szeto. This matter has already underwent a mediation in early March of 2012, which was attended by the two critically involved Defendants and two members of the Department's Command Defendants. Per Your Honor's Notice of Settlement Conference and Settlement Conference Order, we are writing to request Your Honor's permission that all individually named officers, and Chief Holder, not be required to attend this settlement conference.

First of all, these individual officer Defendants (except Chief Holder) have no authority to make decisions affecting settlement and, therefore, will not add much to the process of the settlement conference as all have written detailed reports and the incident in question is on video. One of the key officers, Officer Stephens, has already been deposed and another key officer, Officer Nunn, will be deposed prior to the settlement conference. In addition, several of the individual officers will be off on previously scheduled summer family vacations. Furthermore, a municipal pooling authority representative with settlement authority will be present, as well as two command staff representatives (Cpt. Gorton and Lt. Gresham) from the San Ramon Police Department who are intimately familiar with this case.

Finally, Plaintiff's counsel, Mr. Lagos, has agreed that the individual officers do not need to attend this settlement conference. We do not believe that the absence of the five individually

Panos Lagos, Esq.
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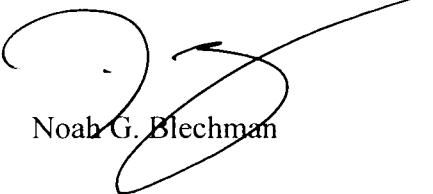
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named officers, nor Chief Holder, will have any impact or bearing on the settlement conference and a settlement can be reached in their absence. If necessary, these excused parties can be available by telephone standby.

We appreciate Your Honor's consideration of this stipulated request.

Should you have any further questions, please do not hesitate to contact counsel of record in this matter.

Very truly yours,



Noah G. Blechman

NGB:ssa

cc: Panos Lagos, Esq.

Dated: 6/6/12

