

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

Steven N. Williams (175489)
Elizabeth Tran (280502)
COTCHETT PITRE & McCARTHY LLP
840 Malcolm Road, Suite 200
Burlingame, CA 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577
swilliams@cpmlegal.com
etran@cpmlegal.com

Attorneys for Plaintiff Raymond A. Green

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

RAYMOND A. GREEN, E68189,
Plaintiff,
v.
B. AGUIRRE, et al.,
Defendants.

Case No. 3:12-cv-05933-JSC
APPLICATION & [PROPOSED] ORDER
EXCUSING PLAINTIFF RAYMOND A.
GREEN'S PERSONAL ATTENDANCE
FROM SETTLEMENT CONFERENCE

**APPLICATION & [PROPOSED] ORDER EXCUSING PLAINTIFF RAYMOND A. GREEN'S
PERSONAL ATTENDANCE FROM SETTLEMENT CONFERENCE; Case No. 3:12-cv-05933-JSC**

1 Counsel for Plaintiff Raymond A. Green submits this application to excuse Mr. Green's
2 personal attendance from the settlement conference before Magistrate Judge Joseph C. Spero on
3 March 9, 2016 at 11:00 a.m. Pursuant to Magistrate Judge Spero's Notice of Settlement Conference
4 and Settlement Conference Order, "Personal attendance of a party representative will rarely be
5 excused by the Court, and then only upon separate written application demonstrating substantial
6 hardship served on opposing counsel and lodged as early as the basis for the hardship is known but
7 no later than the Settlement Conference Statement" (ECF No. 95).

8 Counsel for Plaintiff previously discussed this issue with defense counsel and requested
9 Magistrate Judge Jacqueline Scott Corley waive the attendance requirement for Mr. Green given
10 that Plaintiff is currently a prisoner at Wasco State Prison in Wasco, California and attendance
11 would pose a substantial hardship (ECF No. 94). Counsel for Plaintiff has coordinated with Wasco
12 State Prison's Litigation Coordinator, however, to make Plaintiff available by phone during the
13 settlement conference, if necessary. The Litigation Coordinator, Tracy Jackson, represented to
14 counsel for Plaintiff that counsel for Plaintiff may call her during the settlement conference, and she
15 can connect counsel for Plaintiff to Mr. Green. She stated that Mr. Green cannot attend the entire
16 settlement conference by phone due to limited staffing and resource issues at Wasco State Prison.

17 Counsel for Plaintiff therefore renew their request to excuse Mr. Green's personal attendance
18 from the settlement conference before Magistrate Judge Spero.

19 Dated: March 3, 2016

Respectfully submitted,

20 */s/ Elizabeth Tran*

21 Joseph W. Cotchett (36324)

22 Elizabeth Tran (280502)

23 Joyce Chang (300780)

COTCHETT PITRE & McCARTHY LLP

840 Malcolm Road, Suite 200

Burlingame, CA 94010

24 Telephone: (650) 697-6000

25 Facsimile: (650) 697-0577

26 jcotchett@cpmlegal.com

etran@cpmlegal.com

27 jchang@cpmlegal.com

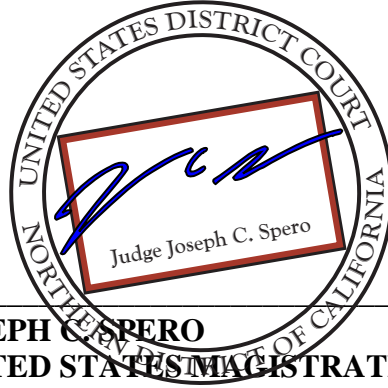
Attorneys for Plaintiff Raymond A. Green

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 above APPLICATION EXCUSING PLAINTIFF RAYMOND A. GREEN'S PERSONAL ATTENDANCE FROM SETTLEMENT CONFERENCE is approved.

IT IS SO ORDERED.



Dated: March 4, 2016

JOSEPH C. SPERO
UNITED STATES MAGISTRATE JUDGE