

1 PILLSBURY WINTHROP SHAW PITTMAN LLP
 2 REYNOLD L. SIEMENS #177956
 3 reynold.siemens@pillsburylaw.com
 4 MARK E. ELLIOTT #157759
 5 mark.elliott@pillsburylaw.com
 6 CAROLINE L. PLANT #247358
 7 corrie.plant@pillsburylaw.com
 8 725 South Figueroa Street, Suite 2800
 9 Los Angeles, CA 90017-5406
 10 Telephone: (213) 488-7100
 11 Facsimile: (213) 629-1033

12 AMY E. GAYLORD # 217553
 13 amy.gaylord@pillsburylaw.com
 14 Four Embarcadero Center, Suite 2200
 15 San Francisco, CA 94111-5998
 16 Telephone: (413) 983-1000
 17 Facsimile: (413) 983-1200

18 Attorneys for Plaintiff
 19 WHITTAKER CORPORATION

20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA
 22 SAN FRANCISCO DIVISION

23 CHARTIS SPECIALTY INSURANCE)
 24 COMPANY, an Illinois corporation, for itself)
 25 and as subrogee of Whittaker Corporation;)
 26 and WHITTAKER CORPORATION, a)
 27 Delaware corporation,)
 28 Plaintiff,)
 vs.)
 UNITED STATES OF AMERICA,)
 Defendant.)

Case No. CV-13-01527-EMC
 Honorable Edward M. Chen
PLAINTIFF WHITTAKER CORPORATION'S REQUEST FOR PERMISSION FOR CLIENT REPRESENTATIVE TO PARTICIPATE BY TELEPHONE AT SETTLEMENT CONFERENCE AND [PROPOSED] ORDER
 Settlement Conf. Date: December 10, 2014
 Time: 10:00 a.m.
 Magistrate Judge: Hon. Maria-Elena James

1 TO JUDGE CHEN AND ALL PARTIES AND THEIR ATTORNEYS OF
2 RECORD:

3 Plaintiff Whittaker Corporation (Whittaker) hereby requests permission of the Court
4 for its representative, Eric Lardiere, to participate telephonically in the December 10, 2014
5 Settlement Conference before Magistrate Judge Maria-Elena James. Good cause exists for
6 Whittaker to make this request.

7 Mr. Lardiere is the President of Whittaker and is the person at Whittaker responsible
8 for, and most familiar with, this litigation. Unfortunately, Mr. Lardiere has had an
9 unmovable conflict arise wherein he is obligated to host a company function for
10 Whittaker's parent company in the early afternoon on December 10, 2014. Because Mr.
11 Lardiere's office is located in Southern California, he cannot attend the Settlement
12 Conference in person and participate in his conflicting obligation. However, given Mr.
13 Lardiere's involvement in this case to date and the importance to the company of this
14 settlement conference, it is the company's preference that Mr. Lardiere participate.
15 Accordingly, Whittaker respectfully requests leave of Court for Mr. Lardiere to participate
16 in the December 10, 2014 Settlement Conference by telephone.

17

18 Dated: November 21, 2014

PILLSBURY WINTHROP SHAW PITTMAN LLP
REYNOLD L. SIEMENS
MARK E. ELLIOTT
AMY E. GAYLORD
CAROLINE L. PLANT

19

20

21

22

By: /s/ Mark E. Elliott
Mark E. Elliott
Attorneys for Plaintiff
WHITTAKER CORPORATION

23

24

25

26

27

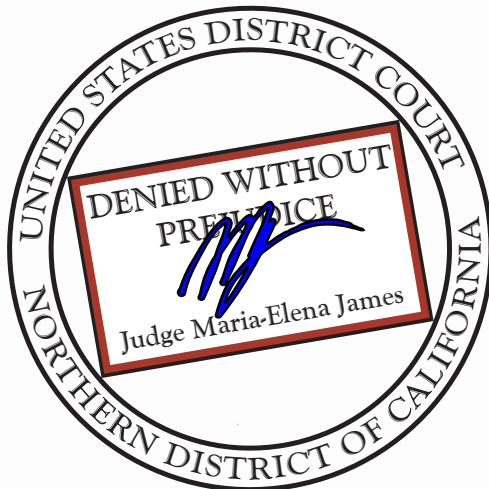
28

1 **[PROPOSED] ORDER**

2 ~~Having considered the request submitted by Plaintiff Whittaker Corporation for the~~
3 ~~telephonic participation at the December 10, 2014 Settlement Conference in the above-~~
4 ~~captioned matter by its company representative, Eric Lardiere, IT IS HEREBY ORDERED AS~~
5 ~~FOLLOWS:~~

6 Good cause exists to grant Whittaker's request. Mr. Lardiere may appear telephonically
7 at the December 10, 2014 Settlement Conference. Whittaker shall coordinate with Magistrate
8 Judge James' clerk to facilitate this telephonic participation.

9 DATED: _____, 2014



11 _____
12 The Honorable Maria-Elena James
13 Judge of the United States District Court
14 Northern District of California

15 Dated: 11/24/2014

16
17
18
19 Plaintiff's request is DENIED without prejudice. Plaintiff may
20 resubmit their request as a stipulation signed by all parties.
21 Due to the importance and involvement of the company representative
22 Mr. Eric Lardiere, the Court believes all must be in agreement to
23 allow him to appear by telephone at the conference. It is not
24 clear to the Court whether Mr. Lardiere would only be available
25 until early afternoon, or whether he would be available the entire
26 time of the settlement conference. If Mr. Lardiere cannot make
27 himself available by phone until the end of the settlement
28 conference then the Court is willing to continue the settlement.
The parties shall advise the Court by calling the Courtroom
Deputy Rose Maher at 415-522-4708 and advise what they wish to do.