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14 Attorneys for Plaintiff

15  
 16  
 17 IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 JEFFERY BROFFMAN, M.D., an Individual,

Case No. 3:13-cv-04922-JD

19 Plaintiff,

Action Filed: 10/23/2013

20 vs.

**APPLICATION FOR RELIEF FROM  
 PERSONAL ATTENDANCE  
 REQUIREMENT OF LEAD TRIAL  
 COUNSEL**

21 PROVIDENT LIFE AND ACCIDENT  
 22 INSURANCE CO., *et al.*

23 Defendants.  
 24

25 Pursuant to the Order at Docket No. 89 at 2:2-5, Jeffery Broffman, M.D. applies for  
 26 relief from the personal attendance requirement of lead trial counsel at the February 9, 2015  
 27 court ordered settlement conference in this matter. It appears at this time that plaintiff's lead  
 28 trial counsel, Richard H. Friedman, will be in trial in the case of *M.H. v. County of Alameda*,

**FRIEDMAN | RUBIN<sup>®</sup>**  
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1 Case No. C11-2868 JST (LB) (N.D. Cal.). Trial in *M.H.* is beginning on February 2, 2015 and  
2 is likely to extend beyond February 9, 2015. Trial is being held in San Francisco and lead  
3 counsel will be in the court building. This potential conflict was identified to Judge Donato on  
4 December 30, 2014 and he gave Mr. Friedman permission to be absent from the conference.  
5 Plaintiff will be represented by experienced trial counsel at the Settlement Conference,  
6 including counsel primarily responsible for the pre-trial litigation and preparation of the case.

7  
8 DATED this 26th day of January, 2015.

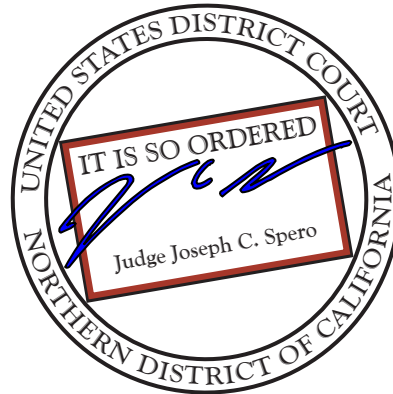
9  
10 /s/ Jeffrey K. Rubin

11 Jeffrey K. Rubin  
12 Friedman | Rubin

13 Attorneys for Jeffery Broffman, M.D.

14 IT IS SO ORDERED, as long as Mr. Broffman is in the building.

15 Dated: 1/27/15



**CERTIFICATE OF SERVICE**  
**STATE OF WASHINGTON, COUNTY OF KITSAP**

I am employed in the County of Kitsap, State of Washington. I am over the age of 18 and not a party to the within action; my business address is 1126 Highland Ave., Bremerton, WA 98337. Email address: dwatkins@friedmanrubin.com.

I HEREBY CERTIFY that on January 26, 2015, I served the foregoing Application for Relief from Personal Attendance Requirement of Lead Trial Counsel with the Clerk's Office using the CM/ECF System which provided for transmittal of a notice of Electronic Filing to the following CM/ECF registrant(s):

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Counsel for Defendants  
Provident Life & Accident Insurance Company  
Unum Group

I am employed in the office of a member of the bar of this court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America and the State of Washington that the above is true and correct. Executed at Bremerton, Washington on **January 26, 2015**.

/s/ Dana C. Watkins  
\_\_\_\_\_  
Dana C. Watkins