

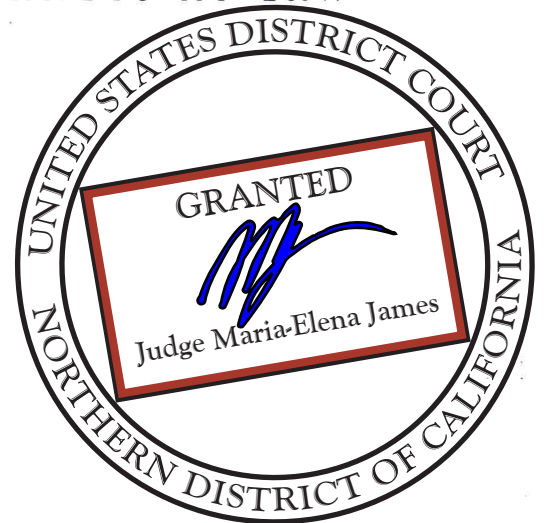


VOGL MEREDITH BURKE LLP
ATTORNEYS AT LAW

February 19, 2016

VIA ELECTRONIC DELIVERY ONLY

Chief Magistrate Judge Maria-Elena James
United States District Court
Northern District of California
San Francisco Courthouse
Courtroom B - 15th Floor
450 Golden Gate Avenue
San Francisco, CA 94102



Re: Winston, et. al. v. United States Department of Agriculture, et. al.
United States District Court (Northern District) Case No.: 14-cv-05417-MEJ

Dear Judge James:

This correspondence follows your Case Management Order filed February 11, 2016 setting forth that the Court shall conduct a bench trial in this matter. Our office is counsel to Defendants Grawe. We preserved our right to a jury trial in our pleadings. We request that the Court re-issue the Case Management Order to provide for a jury trial for the claims against Defendants Grawe.

This matter involves claims arising out of two (2) separate motor vehicle allegations with allegedly overlapping injuries/treatment. Plaintiffs' claims against the United States, for which Plaintiffs are not entitled to a jury trial pursuant to 28 U.S.C. § 2402, are related to the first accident. The claims against our clients, Defendants Grawe, are related to the second accident. We included in our pleadings, both in the title of the pleading and set forth at the end of the pleading, in conformity with the Federal Rules and Local Rules of Court, a demand for a jury trial. For the Court's ease of reference, we attach a copy of our pleading to this correspondence.

We request that the Court re-issue the Case Management Conference Order to provide for a jury trial for the claims against Defendants Grawe.

Thank you.

Very truly yours,
VOGL MEREDITH BURKE LLP

Michael S. Burke

cc: All counsel

Defendant Grawe's request for a jury trial is GRANTED. The Court shall address scheduling the bench and jury trials as part of the pretrial conference, should this matter go to trial.