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May 18, 2009

*Via E-File*

Magistrate Judge Maria-Elena James  
U.S. District Court  
Northern District of California  
450 Golden Gate Avenue  
San Francisco, CA

Re: Kari Preston v. United States of America, et al.  
U.S. District Court - Northern District Case No. C-07-03861 (PJH)(MEJ)

Honorable Magistrate Judge James:

Pursuant to the Court's Standing Order re: Settlement Conference Procedures, Defendant/Third-Party Defendant Seacoast Electronics, Inc. seeks permission of the Court to have its insurance representative available to participate by telephone in the settlement conference of this matter, which is scheduled for June 9, 2009.

Defendant/Third Party Seacoast Electronics, Inc. is indemnified in this action by Chubb Insurance Company, a non-party indemnitor, pursuant to an insurance policy. The authority to negotiate and make a monetary contribution towards the settlement of this case rests with Chubb Insurance Company.

On December 16, 2008, the parties attended a mediation held with Jim Nebel. Judy Shelly, who is the Chubb Ins. Co. Claims Adjuster, located in Dallas, Texas, attended the mediation where she met Plaintiff Kari Preston and observed firsthand Ms. Preston describe the extent and impact of her injuries. As this action has progressed, Ms. Shelly has been kept abreast of the developments and issues in the case and she is fully cognizant of Seacoast's potential liability and damages exposure. Since the mediation in December 2008, the parties have engaged in settlement discussions and continue to do so. Through counsel, Ms. Shelly has participated in the settlement discussions from her office in Dallas, Texas without hindrance.

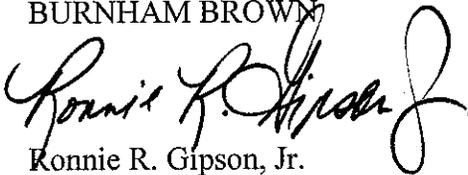
Magistrate Judge Maria-Elena James  
Kari Preston v. United States of America, et al.  
May 18, 2009  
Page 2

Plaintiff Kari Preston resides in Tahoe, Nevada. Counsel for all of the parties are local, as is the representative for Defendant BAE SF. The only participant in the upcoming settlement conference who is not physically located in the area is Ms. Shelly. Due to the expense involved with traveling from Dallas, Texas to San Francisco, California, Seacoast Electronics, Inc. seeks permission to have Ms. Shelly available by telephone for the upcoming Settlement Conference in this matter on June 9, 2009.

The parties have met and conferred on this issue, through counsel, and there are no objections to Ms. Shelly participating in the Settlement Conference by telephone. Counsel for Defendant/Third Party Defendant Seacoast Electronics, Inc. will have full authority up to a pre-approved amount to contribute towards settlement of the case.

Respectfully,

BURNHAM BROWN



Ronnie R. Gipson, Jr.

RRG:kc

cc: All Counsel

DATED: June 11, 2009

IT IS SO ORDERED:



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