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11  
 12 IN THE UNITED STATES DISTRICT COURT FOR THE  
 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION

14	UNITED STATES	)	
15		)	
16	Plaintiff,	)	
17		)	
18	v.	)	Civil No. 03:07-cv-4762-PJH-JCS
19		)	
20	CHARLES CATHCART <i>et al.</i>	)	LETTER REQUESTING PERMISSION
21		)	TO APPEAR TELEPHONICALLY
22		)	AT HEARING OF FEBRUARY 12, 2010
23		)	
24	Defendants.	)	
25		)	

26 Counsel for the United States respectfully requests permission to appear telephonically at  
 27 the hearing scheduled for February 12, 2010, regarding the United States' Second Motion for  
 28 Default Judgment as to Derivium Capital USA (Doc. # 400). Derivium Capital USA has never  
 entered an appearance in this matter. (*See Docket.*) No party filed has an opposition brief to the  
 government's motion, which was required by this Court's order to be submitted by January 22,  
 2010. (*See Doc. # 402.*)

1 If the government's request to appear telephonically is granted, counsel for the United  
2 States, Nathan E. Clukey, may be contacted at the following telephone number: (202) 616-9067.

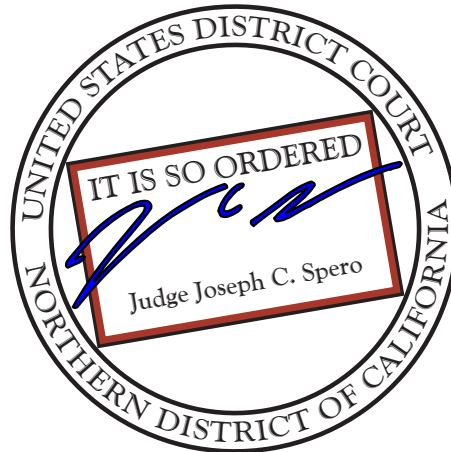
3  
4 DATED: February 3, 2010.

5 Respectfully submitted,

6 JOSEPH P. RUSSONIELLO  
7 United States Attorney

8 /s/ Nathan E. Clukey  
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19 Dated: Feb. 4, 2010



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**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that service of the United States' Letter Request has been made, this 3<sup>rd</sup> day of February, 2010, by filing the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

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/s/ Nathan E. Clukey  
NATHAN E. CLUKEY