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November 13, 2008

VIA E-FILING AND CHAMBERS COPY

The Honorable Claudia Wilken
Judge of the United States District Court
Northern District of California
1301 Clay Street, Suite 400S
Oakland, California 94612

Re: Hearod v. Bay Area Rapid Transit District
Case No. C07-6390 CW

Dear Judge Wilken,

I represent the Plaintiff, Tony Hearod, in the above-entitled action.

I am writing to respectfully request leave to make a telephone appearance on December 4, 2008, at 2:00 p.m. to argue the motions for summary judgment on behalf of the Plaintiff which have been noticed for that date and time due to the fact that I will be in New Hampshire at the time of the hearing on this matter.

I will be available by telephone at 603-563-8309. This is a landline phone. I also understand that the Court will require me to be available throughout the duration of the law and motion calendar starting at 2:00 p.m. since the Court takes the telephone appearances last on the calendar.

Thank you for your consideration in this matter.

Respectfully submitted,

/S/

Julie M. Houk
Plaintiff's Counsel

Cc: Dale Allen, Esq., Defendant's Counsel

