

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HILDA SOLIS, Secretary of Labor,
UNITED STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

ZENITH CAPITAL, LLC, et al.,

Defendants.

CASE NO. C 08-04854 PJH

~~PROPOSED~~ ORDER EXCUSING
DEFENDANT M. GREGORY SMITH
FROM ATTENDING THE EARLY
NEUTRAL EVALUATION ON JUNE
11, 2009

Pursuant to ADR Local Rule 5-10(d), counsel for defendant Michael Gregory Smith has submitted a letter requesting that Mr. Smith be excused from personally attending the Early Neutral Evaluation on June 11, 2009, before the court-appointed Evaluator Michael J. Loeb of JAMS. No objections to the request have been received. The Court finds that the request comports in all respects with ADR Local Rule 5-10(d) and good cause appears for the requested relief. Therefore, the Court hereby orders:

Michael Gregory Smith is excused from personally attending the Early Neutral Evaluation on June 11, 2009, *on the condition that he be available by phone.* ~~WDB~~

Date: 4/30, 2009

Wayne D. Brazil
United States Magistrate Judge

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