

CITY AND COUNTY OF SAN FRANCISCO



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March 9, 2012

Hon. Bernard Zimmerman
United States Magistrate Judge
United States District Court-Northern District
Courtroom C, 15th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *Derrick Payne v. City and County of San Francisco, et al.*
United States District Court No. CV 11 1328 YGR
Settlement Conference: March 22, 2012

Dear Magistrate Judge Zimmerman:

This office represents all of the defendants in this action. We write to request that three of the five Sheriff's deputies who are named as defendants be excused from personal attendance at the settlement conference. Having all five of the deputies at the conference puts a considerable burden on City resources, and we believe that a smaller group will be adequate for the purposes of our conference on March 22.

Defendants Sergeant Noda and Deputy Castellanos will attend the settlement conference, as well as Freya Horne, Chief Legal Counsel for the Sheriff's Department, as representative of the City. The other defendants, former Deputy City Attorney Rowena Libang and Social Worker Gilbert Jue, will attend the settlement conference as well, so that a total of four of the seven individual defendants, plus the City, will attend. We respectfully ask the court to excuse Sheriff's Deputies Neu, Tilton, and McConico.

We consulted plaintiff's counsel, James Birkelund, regarding this request, and he has no objection to the request.

Thank you for considering our request.

Very truly yours,

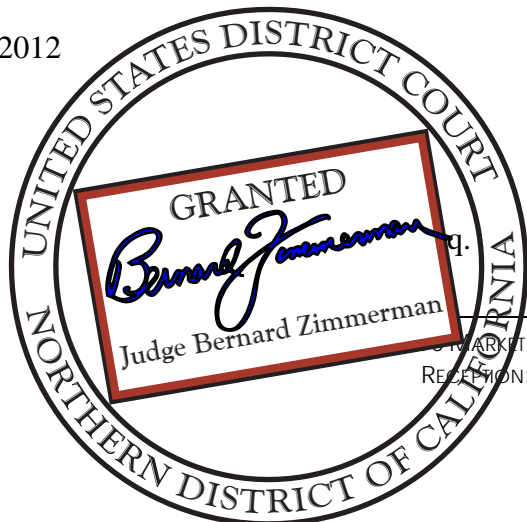
DENNIS J. HERRERA
City Attorney

/s/ Duncan Carling

DUNCAN CARLING
Deputy City Attorney

GRANTED. NO OPPOSITION FILED.

3/16/2012



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