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8 Attorneys for Defendants
 CITY AND COUNTY OF SAN FRANCISCO,
 9 SAN FRANCISCO POLICE DEPARTMENT,
 OFFICER JOSEPH KAVANAUGH
 10 and OFFICER MACAULEY

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 BENJAMIN ORTIZ,

15 Plaintiff,

16 vs.

17 CITY AND COUNTY OF SAN
 18 FRANCISCO; SAN FRANCISCO POLICE
 DEPARTMENT; OFFICER JOSEPH
 19 KAVANAUGH; OFFICER MACAULEY;
 and DOES 1 through 50, inclusive,

20 Defendants.
 21

Case No. CV 11-03317 DMR

**[PROPOSED ORDER] AND APPLICATION
 FOR PERMISSION TO EXCUSE OFFICER
 MACAULEY FROM ATTENDANCE AT
 SETTLEMENT CONFERENCE**

Hearing Date: March 29, 2012
 Time: 9:30 a.m.
 Place: Ctrm. F, 16th Fl.

Complaint Filed: May 18, 2011
 Trial Date: June 25, 2012

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 23 This office represents defendants the City and County of San Francisco, and Officers Macauley
 24 and Kavanagh in the above-referenced matter. Defendants request that Officer Macauley be excused
 25 from the settlement conference scheduled on March 29, 2012. Officer Macauley just last week
 26 received a new assignment to a specialized unit. His training for the new assignment begins March 29,
 27
 28

1 **PROOF OF SERVICE**

2 I, LISA FREDERIKSEN, declare as follows:

3 I am a citizen of the United States, over the age of eighteen years and not a party to the above-
4 entitled action. I am employed at the City Attorney's Office of San Francisco, Fox Plaza Building,
1390 Market Street, Fifth Floor, San Francisco, CA 94102.

5 On March 26, 2012, I served the following document(s):

6 **NAME OF DOCUMENT**

7 on the following persons at the locations specified:

8 Fernando F. Chavez
9 Law Offices of Fernando F. Chavez
10 1530 The Alameda, Suite 301
11 San Jose, California 95126
12 Tel.: (408) 971-3903
13 Fax: (408) 971-0117

14 in the manner indicated below:

15 **BY UNITED STATES MAIL:** Following ordinary business practices, I sealed true and correct copies of
16 the above documents in addressed envelope(s) and placed them at my workplace for collection and mailing with
17 the United States Postal Service. I am readily familiar with the practices of the San Francisco City Attorney's
18 Office for collecting and processing mail. In the ordinary course of business, the sealed envelope(s) that I placed
19 for collection would be deposited, postage prepaid, with the United States Postal Service that same day.

20 **BY PERSONAL SERVICE:** I sealed true and correct copies of the above documents in addressed
21 envelope(s) and caused such envelope(s) to be delivered by hand at the above locations by a professional
22 messenger service. **A declaration from the messenger who made the delivery** **is attached** or **will be**
23 **filed separately with the court.**

24 **BY OVERNIGHT DELIVERY:** I sealed true and correct copies of the above documents in addressed
25 envelope(s) and placed them at my workplace for collection and delivery by overnight courier service. I am
26 readily familiar with the practices of the San Francisco City Attorney's Office for sending overnight deliveries. In
27 the ordinary course of business, the sealed envelope(s) that I placed for collection would be collected by a courier
28 the same day.

BY FACSIMILE: Based on a written agreement of the parties to accept service by fax, I transmitted true and
correct copies of the above document(s) via a facsimile machine at telephone number Fax #' to the persons and the
fax numbers listed above. The fax transmission was reported as complete and without error. The transmission
report was properly issued by the transmitting facsimile machine, and **a copy of the transmission report** **is**
attached or **will be filed separately with the court.**

I declare under penalty of perjury pursuant to the laws of the United States of America that the
foregoing is true and correct.

Executed March 26, 2012, at San Francisco, California.

/s/
LISA FREDERIKSEN