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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SMARTDATA, S.A.

Plaintiff(s),

No. 12-00583 (EDL)

v.

ORDER DENYING REQUEST TO APPEAR
BY PHONE AT SETTLEMENT

CONFERENCE

APPLE, INC.

Defendant(s).

_____ /

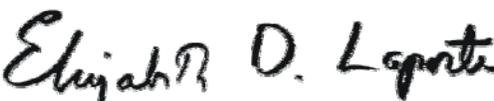
TO ALL PARTIES AND COUNSEL AND PARTIES OF RECORD:

By letter dated November 19, 2012, Plaintiff Smartdata S.A.'s representative, Jean-Pierre Buttet, requested to be excused from personally appearing at the settlement conference scheduled for November 28, 2012 at 9:30 a.m. because he is located in Zurich, Switzerland. Apple Inc. has a preference that Mr. Buttet appear in person to facilitate settlement communications.

Upon consideration of the request, the Court finds that Mr. Buttet's personal appearance at the settlement conference would more effectively facilitate settlement negotiations, and hereby DENIES the request. The Court is cognizant of the time and expense of traveling from Switzerland, but given that SmartData chose to litigate in this Court and the settlement conference date was set over two months ago on September 17, 2012, Plaintiff has had ample time to make travel arrangements.

IT IS SO ORDERED.

Dated: November 21, 2012



ELIZABETH D. LAPORTE
United States Magistrate Judge