## ATTORNEYS

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August 6, 2014

Hon. Donna M. Ryu Magistrate Judge U.S. District Court/Northern District Oakland Courthouse, Courtroom 4 - 3rd Floor 1301 Clay Street Oakland, CA 94612

> Re: *Tien Van Nguyen v. City of Union City et al.* USDC Case No. 4:13-cv-01753 (DMR)

Dear Judge Ryu:

On August 13, 2014 at 1:30 p.m., this matter is currently-scheduled for a Trial Setting Conference (Docket No. 45). Pursuant to the Court's Standing Order (Docket No. 2-1,  $\P$  8), I respectfully request allowance to appear at the Conference in lieu of lead trial counsel Dale L. Allen, Jr. He will be in trial in Merced, CA (*Thao v. City of Merced, et al.*, Merced County Case Number CV002599). The *Thao* trial begins on August 12th.

I am co-trial counsel in this matter, and am sufficiently prepared to address all of the matters referred to in the Northern District of California's standing order on Joint Case Management Statements. I have full authority to enter stipulations and make admissions.

I also request permission to appear telephonically. I have a deposition at 10:00 a.m. on August 13, 2014 in Merced, CA. The deposition is in *Ervin v. City of Merced, et al.*, USDC Case No.: 1:13-cv-00446-GSA) (Eastern District of California).

|// |// |// |// |// |// |// |// |// Thank you for considering these requests.

Very truly yours,

ALLEN, GLAESSNER, HAZELWOOD & WERTH

/s/

IT IS HEREBY ORDERED THAT:

Kevin P. Allen

The Court grants Counsel Kevin P. Allen's requests to appear in lieu of lead trial counsel Dale Allen, Jr. by telephone at the Case Management Conference on 8/13/2014 at 1:30 p.m. Counsel Kevin Allen must follow the protocol set forth in the attached Notice re Telephonic Appearance Procedures for Judge Ryu. **IT IS SO ORDERED.** 

DATED: 8/7/14

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DONNA M. RYU United States Magistrate Judge