

ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP

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August 18, 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: Fred Hampton et al. v. City of Emeryville
US District Court (Northern District), Case No.: 4:13-cv-03094-DMR

Dear Judge Ryu:

On August 20, 2014 at 1:30 p.m., this matter is currently-scheduled for a Case Management Conference (see Docket No. 43). Pursuant to the Court's Standing Order (Docket Nos. 3 and 52, ¶ 8), I respectfully request allowance to appear at the Conference in lieu of lead trial counsel Dale L. Allen, Jr. Mr. Allen will be attending an expert trial preservation deposition in Stockton, California. (*Allgoewer v. City of Tracy, et al.*, San Joaquin County Case Number 39-2008-00187830-CU-CR-STK). The *Allgoewer* trial begins on November 10, 2014.

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, if necessary. I will be taking a deposition at 10:00 a.m. on August 20, 2014 in Modesto, CA. It is plaintiff's deposition in the matter of *Scott Ussery v. County of Stanislaus*, Stanislaus County Case Number 662273. I will do my best to get back in time to attend the Conference in person.

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Thank you for considering these requests.

Very truly yours,

ALLEN, GLAESSNER,
HAZELWOOD & WERTH

/s/

Kevin P. Allen

IT IS HEREBY ORDERED THAT: The Court grants Counsel Kevin P. Allen's requests to appear in lieu of lead trial counsel Dale Allen, Jr. and by telephone at the Case Management Conference on 8/20/14 at 1:30 p.m. Counsel Kevin Allen must follow the protocol set forth in the attached Notice re Telephonic **IT IS SO ORDERED.** Appearance Procedures for Judge Ryu.

DATED: 8/19/14



DONNA M. RYU
United States Magistrate Judge