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5 Attorney For Defendants
 ROBERT EURY, ANN HAMPTON and CFMG

7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA

9 STEPHANY BORGES, individually
 10 and as successor-in-interest to
 Daren Borges
 11 Plaintiff,

CASE NO. 4:15-CV-00846

**UNOPPOSED APPLICATION OF
 DEFENDANTS CFMG, ET AL FOR
 PERMISSION TO APPEAR AT
 SETTLEMENT CONFERENCE BY PHONE
 AND PROPOSED ORDER**

12 vs.

13 CITY OF EUREKA, MICHAEL STELZIG;
 14 RYON FRANCO; JOHN DRAKE
 GOODALE; COUNTY OF HUMBOLDT;
 15 SHERIFF MICHAEL DOWNEY; TIM
 PERSHBERGER; DAVID SWIM, TERRI
 16 BITTNER; TIM HAMMER; LEO BASLER;
 CALIFORNIA FORENSIC MEDICAL
 17 GROUP, INCORPORATED, ROBERT
 EURY; ANN HAMPTON and DOES 1-10,
 18 inclusive;

Date: October 16, 2015
 Time: 10:30
 Judge: Nandor Vadas

19 Defendants.

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22 Defendants hereby request permission from the court to allow the
 23 claims representative for these requesting defendants, Ms. Myrna Nieves,
 24 from Ironshore Insurance, located in Farmington, Connecticut, and the Vice
 25 President for CFMG, Mrs. Elaine Hustedt, from Monterey, to appear by
 26 telephone at the settlement conference set for October 16, 2015, with Hon.
 27 Nandor Vadas.

28 Defendants have agreed that with the court's permission that

1 plaintiff may appear by phone and all counsel have agreed, again with
2 court permission, that the CFMG representatives may also appear by phone.

3 Counsel for these requesting defendants will personally appear at
4 the settlement conference. Defendants' representatives have participated
5 in multiple prior settlement conferences in both the Northern District and
6 Eastern District including approved appearances by phone.

7 Currently, defendants have recently received the results of vitreous
8 fluid testing for level of methamphetamine in the decedent's body
9 performed by experts retained by plaintiff's counsel; those results
10 reflect a massive level of that drug in the decedent's system at the time
11 of death. These new test results as well as the results of a review of all
12 of the pertinent medical records, including the coroner's report and other
13 records are under consultant review as well as multiple recent depositions
14 that have recently been completed. The deposition of the plaintiff has
15 been set, as a courtesy to her and her counsel, on October 7, 2015 in
16 Oakland.

17 It is respectfully suggested that the representatives of defendants
18 appearance by phone will not adversely effect the discussions by all
19 parties and the input of the court.

20 Dated: October 2, 2015

LAW OFFICES OF JEROME M. VARANINI

21 /S/ JEROME VARANINI

22 By: Jerome M. Varanini
23 Attorney For Defendants
ROBERT EURY, ANN HAMPTON and CFMG

24 **~~[PROPOSED]~~ ORDER GRANTING DEFENDANTS' REQUEST FOR**
25 **TELEPHONIC APPEARANCE AT SETTLEMENT CONFERENCE**

26 The court having read and considered the request by defendants for
27 permission to appear by phone at the settlement conference in this matter
28 set for 10:30 a.m., October 16, 2015, in McKinleyville and finding good

1 cause, hereby grants permission for telephone appearances by Mrs. Elaine
2 Rustedt and Ms. Myrna Nieves, the representatives of defendants.

3 Dated: 10/5/2015



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6 HON. NANDOR J. VADAS
Magistrate Judge

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