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February 4, 2008

VIA E-FILE

Magistrate Judge Joseph C. Spero
United States District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

**RE: *Cross vs. County of Santa Cruz, et al.*,
U.S.D.C., Northern Division, Case No. C06-04891**

Dear Judge Spero:

This office represents the Plaintiffs in the above-entitled matter. Plaintiff Gregory Cross, the decedent's brother, will be unable to personally attend the Mandatory Settlement Conference scheduled for this Wednesday, February 6 due to a previously scheduled trip that will take him out of the country. Our other three clients will personally attend. I have conferred with opposing counsel and they have no objection to Greg Cross' absence. I am asking for permission for Gregory Cross to attend by telephone.

We apologize for the delay in advising the Court of this situation, however I was out of the office last week, and my assistant had fallen ill last week and was out of the office as well. We look forward to the Court's reply to this issue. Thank you for your kind consideration in this regard.

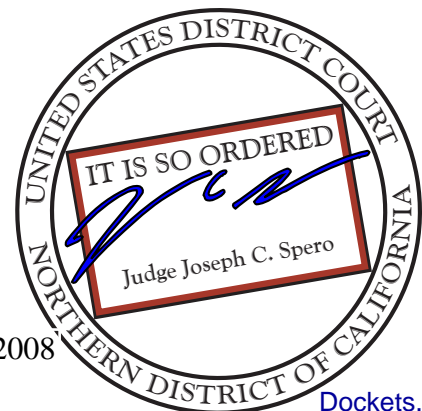
Very truly yours,

/s/ - "Andrew C. Schwartz"

ANDREW C. SCHWARTZ

ACS/mae

cc: All counsel via E-file



Dated: February 4, 2008