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E-FILED 1/16/09

7 Attorneys for Defendants William Piché,
 8 Paul Beaupre, M.D., Arthur Douville, M.D.,
 9 Mark McConnell, M.D., and Kenneth Tan, M.D.

10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 RICHARD B. FOX, M.D.,) No. C-08-01098 RS
)
 13 Plaintiff,)
) **SUBSTITUTION OF COUNSEL AND**
 14 v.) **ORDER**
)
 15 WILLIAM PICHE, et al.) [LOCAL RULE 11-5]
)
 16 Defendants.)
)

17
18 TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

19 Defendant KENNETH TAN, M.D., hereby substitutes David L.
 20 Perrault of the law firm Hardy Erich Brown & Wilson, 1000 G
 21 Street, 2nd Floor, Sacramento, CA 95814, Tel: (916) 449-3800, Fax:
 22 (916) 449-3888, Email: dperrault@hebw.com as his attorney of
 23 record in the above-captioned action instead of Ross Campell, Beth
 24 McGowen and Samantha Reardon of Bingham McCutchen LLP.

25 David Perrault will act as co-counsel for out-of-state
 26 counsel David C. Hall and his associate attorneys at Hall Prangle
 27 & Schoonveld, LLC whose pro hac vice applications have previously
 28 been granted pursuant to Civil Local Rule 11-3.



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I consent to this substitution.

Dated: January 14, 2009 By: /s/ Kenneth Tan, M.D.
KENNETH TAN, M.D.

I consent to this substitution.

Dated: January 14, 2009 **BINGHAM McCUTCHEEN, LLP**

By: /s/ Beth McGowen
BETH MCGOWEN

I consent to this substitution.

Dated: January 14, 2009

HARDY ERICH BROWN & WILSON
A Professional Law Corporation

By: /s/ David L. Perrault
DAVID L. PERRAULT

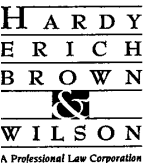
IT IS SO ORDERED.

Dated: January 16, 2009



RICHARD SEEBORG,
UNITED STATES MAGISTRATE JUDGE

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1 **DECLARATION OF DAVID L. PERRAULT PURSUANT TO GENERAL ORDER NO.**
2 **45(X) RE: E-FILING WITH MULTIPLE SIGNATURES**

3 I, DAVID L. PERRAULT declare:


4 1. I am an attorney at law licensed to practice law before
5 all the courts of the State of California and am admitted to
6 practice in the United States District Court for the Northern
7 District of California.

8 2. I am a member of the law firm of Hardy Erich Brown &
9 Wilson, a Professional Law Corporation, attorneys for William
10 Piché, Paul Beaupre, M.D., Arthur Douville, M.D., Mark McConnell,
11 M.D., and Kenneth Tan, M.D.

12 3. I am one of the attorneys at this firm responsible for
13 handling this matter, and as such, have personal knowledge of the
14 following facts. If called and sworn as a witness, I could and
15 would testify to the following:

16 4. The above Substitution of Counsel and Order contains
17 multiple signatures. I declare that concurrence has been obtained
18 from each of the other signatories to file this jointly prepared
19 document with the court. Pursuant to General Order 45(X), I shall
20 maintain records to support this concurrence for subsequent
21 production to the Court, if so ordered, for inspection upon
22 request by a party until one year after final resolution of the
23 action (including appeal, if any).

24 I declare under penalty of perjury under the laws of the
25 State of California that the foregoing is true and correct, and if
26 called as a witness I could and would competently testify thereto.

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ERICH
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