

1 ANN MILLER RAVEL, County Counsel (S.B. #62139)
 2 GREGORY J. SEBASTINELLI, Deputy County Counsel (S.B. #104884)
 3 OFFICE OF THE COUNTY COUNSEL
 4 70 West Hedding, East Wing, 9th Floor
 5 San Jose, California 95110-1770
 6 Telephone: (408) 299-5900
 7 Facsimile: (408) 292-7240

8 Attorneys for Defendants
 9 COUNTY OF SANTA CLARA, EDWARD
 10 FLORES, and ALEX CHYORNY, M.D.

11 UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 ERNEST MUSUMECI,
 14 Plaintiff,
 15 v.
 16 SANTA CLARA COUNTY et al.,
 17 Defendants.

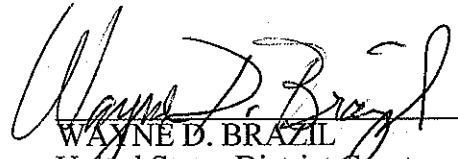
No. C08-04924 RMW

**[PROPOSED] ORDER EXCUSING
 INDIVIDUAL DEFENDANTS'
 ATTENDANCE AT EARLY NEUTRAL
 EVALUATION SESSION**

18 After consideration of Defendants' request to excuse DOC Chief Edward Flores and
 19 ACHS Medical Director Alex Chyorny, M.D., from attendance at the July 23, 2009 Early
 20 Neutral Evaluation ("ENE") session, the Court finds that good cause appears and therefor,

21 IT IS HEREBY ORDERED that Defendants' request to excuse DOC Chief Edward Flores
 22 and ACHS Medical Director Alex Chyorny, M.D., from attendance at the July 23, 2009 ENE
 23 session is granted. As per ADR Local Rule 5-10(f), these excused Defendants will be available
 24 to participate by telephone for the duration of the session or until excused by the ENE
 25 Evaluator.

26 Dated: 6-10-09


 WAYNE D. BRAZIL
 United States District Court
 ADR Magistrate Judge