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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

OSCAR MADRIGAL SENCION, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 SAXON MORTGAGE SERVICES INC., et )  
 al., )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

Case No.: C 10-03108 PSG

**ORDER DENYING PLAINTIFF'S  
MOTION TO PERMIT COUNSEL TO  
APPEAR TELEPHONICALLY AT  
PLAINTIFF'S MOTION TO AMEND  
AND DEFENDANT SAXONS'  
MOTION TO DISMISS**

**[Docket No. 44]**

Plaintiff's Motion to Amend and Defendant Saxon's ("Saxon") Motion to Strike and Motion to Dismiss will be heard on January 4, 2011. On December 22, 2010, counsel for Plaintiff filed a request to appear telephonically at that hearing. Based on the request and the file herein,

IT IS HEREBY ORDERED that Plaintiff's request is DENIED. Plaintiff has not established good cause for requested relief. Plaintiff contends that traveling to this courthouse from Los Angeles would be wasteful in light of the likely brevity of the hearing. The burden of appearing in court, however, is a normal burden of litigation. Furthermore, counsel's appearance is strongly preferred when the subject of the hearing could dispose of a claim or defense of a party, regardless of counsel's prediction about the hearing's duration. Plaintiff has not shown any specific facts that would warrant relieving it of having its counsel appear in court for Plaintiff's

1 Motion to Amend and Saxon's Motion to Dismiss and Motion to Strike.

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3 Dated: December 28, 2010

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PAUL S. GREWAL  
United States Magistrate Judge

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