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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

JOHN FUNG, et al.,  
Plaintiffs,  
v.  
PATRICE JOHNSON RAY, et al.,  
Defendants.

Case No. 15-cv-04871-BLF

**ORDER RE DEFENDANTS' REQUEST  
FOR TELEPHONIC APPEARANCE AT  
HEARING ON DEFENDANTS'  
MOTION TO DISMISS AND AT CASE  
MANAGEMENT CONFERENCE**

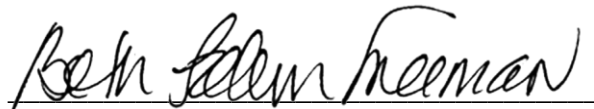
[Re: ECF 40]

On March 18, 2016, Defendants filed a request for an order granting Defendants' lead trial counsel, Dennis J. Kelly, permission to appear telephonically at the hearing on Defendants' motion to dismiss and the case management conference set for March 24, 2016.

The Court ordinarily does not permit telephonic appearances at motion hearings. Here, Defendants filed the motion and their counsel is local. Absent some explanation why a telephonic appearance is necessary, the Court will require an attorney who is fully prepared to present oral argument and discuss scheduling issues to appear in person at the hearing and the case management conference. That attorney need not be lead trial counsel, and lead trial counsel is welcome to appear telephonically to listen in on the proceedings if another attorney appears in person to argue on behalf of Defendants.

**IT IS SO ORDERED.**

Dated: March 21, 2016

  
BETH LABSON FREEMAN  
United States District Judge