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9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11 ASIF A. SIAL, an individual,

12 Plaintiff,

13 v.

14 UNIFUND CCR PARTNERS; and DOES 1
15 through 10 inclusive,

16 Defendants.

Civil No. 08cv905 JM (CAB)

**ORDER DENYING EX PARTE REQUEST
TO APPEAR TELEPHONICALLY
[Doc. No. 19.]**

17 On October 23, 2008, this Court ordered a Mandatory Settlement Conference to be held on
18 February 20, 2009. The Order required the parties, or a party representative with full settlement
19 authority, to appear personally. On February 4, 2009, Defendant filed an ex parte request for its party
20 representative to appear telephonically. Defendant acknowledges it filed a similar motion in regards to
21 the Early Neutral Evaluation, which the Court denied.

22 Unless there are extraordinary circumstances, persons required to attend the conference shall not
23 be excused from personal attendance. As in the previous motion, Defendant claims “[i]t would place an
24 extraordinary burden on Unifund, both in terms of time and expense, for Unifund’s representative to
25 travel across the country to attend the conference in person.” [Doc. No. 19 at 3.] However, in and of
26 itself, having to travel a long distance to appear in person is not extraordinary. Furthermore, while
27 Defendant claims “[v]ery little has occurred in this case since [the ENE],” it fails to note its

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1 motion for judgment on the pleadings was denied in the intervening period. Accordingly, because
2 Defendant has failed to demonstrate extraordinary circumstances, the ex parte request is **DENIED**.

3 **IT IS SO ORDERED.**

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5 DATED: February 5, 2009

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7 **CATHY ANN BENCIVENGO**
8 United States Magistrate Judge

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