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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

STEPHON BUTLER,)	Case No. 08cv1375-J (BLM)
)	
Plaintiff,)	ORDER GRANTING IN PART AND
v.)	DENYING IN PART DEFENDANTS' EX
)	PARTE APPLICATION
COUNTY OF SAN DIEGO, et al.,)	
)	[Doc. No. 27]
Defendants.)	
_____)	

On March 2, 2009, counsel for Defendants, Stephanie Kish, filed an ex parte application requesting that this Court excuse Defendants from attending the March 11, 2009 Mandatory Settlement Conference ("MSC"). Doc. No. 27. Ms. Kish also requests permission to appear telephonically at the MSC. Id. In support, Ms. Kish states that no discovery has taken place in this case because Defendants' motion to dismiss is still pending. Doc. No. 27-2 at 2. Additionally, Ms. Kish represents that Defendants' appearance would be "extremely burdensome and inefficient" due to their high ranking in the Sheriff's Department. Id. Lastly, Ms. Kish notes that Plaintiff is appearing telephonically at the MSC in light of his incarceration at the Sierra Conservation Center. Id.

Good cause appearing, Defendants' application is **GRANTED IN PART** and **DENIED IN PART** in that Defendants Kolender, Clamser, and Rinehart

1 are excused from attending the MSC. Ms. Kish, however, must appear in
2 person at the MSC scheduled for March 11, 2009 at 10:30 a.m. The Court
3 reminds Ms. Kish that she is to coordinate Plaintiff's appearance at the
4 MSC by telephone. See doc. no. 20 at 7.

5 **IT IS SO ORDERED.**

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7 DATED: March 3, 2009

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9 BARBARA L. MAJOR
10 United States Magistrate Judge

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