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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED BRANDS COMPANY, INC.,)	Case No. 10-CV-2281 AJB (WMc)
)	
Plaintiff,)	ORDER GRANTING REQUEST FOR
)	PERMISSION TO APPEAR
v.)	TELEPHONICALLY AT EARLY
)	NEUTRAL EVALUATION CONFERENCE
)	
ANHEUSER-BUSCH, INC.,)	
)	
Defendant.)	
_____)	

The Court has received Defendant's letter request dated November 14, 2011, seeking the Court's permission to allow the Defendant's client representative to appear by telephone at the Early Neutral Evaluation Conference ("ENE") scheduled for November 28, 2011. As noted in the November 14, 2011 letter, although the client representative is unable to personally appear due to complications of holiday travel, Defendant's insurance company representative as well as counsel for Defendant intend to appear in person as ordered. Plaintiff's have objected to Defendant's showing of good cause.

After careful consideration of Defendant's request, the Court finds good cause exists to allow Defendant's client

1 representative to appear telephonically in light of the fact that
2 Defendant's attorney and insurance representative will be present
3 in Judge McCurine's courtroom on November 28, 2011. Moreover,
4 pursuant to Local Civil Rule 16.1(c)(1), the Court is required to
5 hold an Early Neutral Evaluation Conference within 45 days of the
6 filing of an answer. An answer was filed in this matter on
7 October 14, 2011. [Doc. No. 44] A continuance to mid-December
8 or beyond, as proposed by Plaintiff, lies beyond the 45-day
9 deadline. Accordingly, the Court **GRANTS** Defendant's request.
10 **ONLY the Anheuser-Busch representative is permitted to appear**
11 **telephonically.** Defendant's counsel shall: (1) bring the
12 representative's contact information to the ENE so that the Court
13 may reach the representative directly; and (2) notify the
14 representative that they are to consider themselves "on-call" for
15 the duration of the conference.

16 **IT IS SO ORDERED.**

17 DATED: November 16, 2011

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20 Hon. William McCurine, Jr.
21 U.S. Magistrate Judge
22 United States District Court
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