

1  
2  
3  
4  
5  
6  
7  
8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10

11 PAUL POLISHUK,

12 Plaintiff,

13 v.

14 SUNRISE SENIOR LIVING  
15 MANAGEMENT, LLC, et al.,

16 Defendants.

Case No.: 16-CV-0910-GPC (WVG)

**ORDER GRANTING PLAINTIFF'S  
UNOPPOSED REQUEST TO  
PARTICIPATE TELEPHONICALLY  
AT THE EARLY NEUTRAL  
EVALUATION CONFERENCE**

17  
18 On April 15, 2016, the Court set an Early Neutral Evaluation (“ENE”) Conference  
19 for May 27, 2016, at 9:00 a.m., before United States Magistrate Judge William V. Gallo,  
20 United States Courthouse, Courtroom 2A, Second Floor, 221 West Broadway, San Diego,  
21 California. (Doc. No. 4.) The Order provided that “[a]ll parties, adjusters for insured  
22 defendants, and other representatives of a party having full and complete authority to enter  
23 into a binding settlement, and the principal attorneys responsible for the litigation, must be  
24 present **in person** and legally and factually prepared to discuss settlement of the case. See  
25 S.D. Cal. Civ. L. R. 16.1(c).” *Id.* at 2 (emphasis in original).

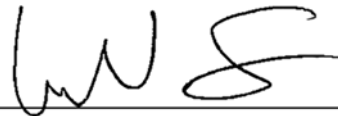
26 On May 18, 2016, Plaintiff’s counsel lodged with the Court a written request to  
27 excuse Plaintiff’s personal appearance at the ENE Conference. Plaintiff’s counsel explains  
28 that Plaintiff resides at a Skilled Nursing Facility where he is being treated for a medical

1 condition which limits his ability to sit up in a chair for more than two hours a day.  
2 Plaintiff's counsel also notes that Plaintiff requires a tracheostomy tube and an oxygen  
3 tank. Plaintiff's counsel states that Plaintiff will be available telephonically. Further,  
4 Plaintiff's counsel represents that counsel for all Defendants have agreed that Plaintiffs'  
5 personal appearance at the ENE Conference is not necessary in light of his medical  
6 conditions.

7 For good cause shown, the Court hereby **GRANTS** Plaintiff's request to participate  
8 telephonically at the ENE Conference. Plaintiff's counsel shall appear in person at the  
9 ENE Conference and shall have a telephone number where Plaintiff can be reached at the  
10 start of the Conference. Plaintiff shall be prepared to participate via telephone for the  
11 duration of the ENE Conference.

12 **IT IS SO ORDERED.**

13 Dated: May 19, 2016



14  
15 Hon. William V. Gallo  
16 United States Magistrate Judge  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28