

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOHN DOE,

Plaintiff,

v.

CIV. NO. 08-1041 MCA/LFG

CITY OF ALBUQUERQUE,

Defendant.

NOTICE OF UNAVAILABILITY

COMES NOW PLAINTIFF, through the undersigned counsel, and respectfully submits this pleading to notify the Court and Defendant that Plaintiff's counsel George Bach and Brendan Egan will be out of state and unavailable during the following period:

May 28 and May 29, 2009

Plaintiffs respectfully request that no hearings or other matters be scheduled in this case during this period.

Respectfully submitted,

/s/ Brendan Egan 5/4/2009

George Bach

Brendan Egan

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ATTORNEYS FOR PLAINTIFF

I HEREBY CERTIFY that on May 4, 2009, I filed the foregoing pleading electronically through the CM/ECF system and caused the following parties and/or counsel to be served electronically through the CM/ECF system:

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/s/ Submitted Electronically 5/4/09
Brendan Egan