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February 22, 2006

Lowell Williams/Laurie Cuaresma  
DEPUTY CLERKS, UNITED STATES  
DISTRICT COURT AT SEATTLE  
700 Stewart Street  
Seattle, WA 98111

**VIA ELECTRONIC FILING**

RE: *Fleming v. COP, et al.*,  
USDC No. 2:04-cv-02338RSM

Dear Mr. Williams or Ms. Cuaresma:

I am in receipt of the Order Setting Trial Date & Related Dates issued by Judge Martinez on February 14, 2006. Pursuant to the language contained in first paragraph on the second page of that Order, please be advised that I have an irreconcilable conflict with the newly-assigned trial date and, by this letter, am requesting a brief continuance of the trial date.

This matter is currently scheduled for trial on May 22, 2006. The trial of this matter is expected to last three to four weeks. In addition to this trial, I have a jury trial scheduled to commence on May 6, 2006, in the King County Superior Court. I expect the May 6 to take three to four weeks. Additionally, I have another jury trial scheduled to commence on June 6, 2006, also in the King County Superior. As with the cases, I expect the June trial to last three to four weeks. I am lead counsel on all three of these cases and must be present for the trial of all three of these cases.

In these circumstances, I request a brief continuance of the trial date in the *Fleming v. COP* matter. I am generally available in late July and August.

GORDON, THOMAS, HONEYWELL,  
MALANCA, PETERSON & DAHEIM LLP

February 21, 2006  
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Thank you for your attention to the above.

Very truly yours,

A handwritten signature in black ink, appearing to be 'M. Pfau', with a long horizontal stroke extending to the right.

Michael T. Pfau

MTP/MAM:dbm

cc: Tom Frey/Marcus Nash (counsel for defendant COP)