

E-filed 9/27/07

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15 ATTORNEYS FOR PLAINTIFFS

16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN JOSE DIVISION**

19 BRIAN HEISLER, ROGER COMBS, ROB
 20 TEMPLE, THOMAS TRAUB, AND JODY
 21 AGERTON, individually and on behalf of all
 22 others similarly situated,

23 Plaintiffs,

24 v.

25 MAXTOR CORPORATION, a Delaware
 26 corporation,

27 Defendant.

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9 Case No. C06-6634-JF (PVT)

10 **REQUEST OF PLAINTIFFS' LEAD**
 11 **COUNSEL FOR PERMISSION TO APPEAR**
 12 **TELEPHONICALLY AT SEPTEMBER 28,**
 13 **2007 CASE MANAGEMENT CONFERENCE**
 14 **[CIVIL L.R. 16-10(a); AND**

15 **[PROPOSED] ORDER GRANTING**
 16 **REQUEST TO APPEAR**
 17 **TELEPHONICALLY AT CMC**

18 **CMC DATE: September 28, 2007**
 19 **CMC Time: 10:30 a.m.**
 20 **Courtroom: 3**

21 **The Honorable Jeremy Fogel**
 22 **The Honorable Patricia V. Trumbull**

23 Pursuant to Civil Local Rule 16-10(a), lead counsel for Plaintiffs Brian Heisler, Roger
 24 Combs, Rob Temple, Thomas Traub, And Jody Agerton, Lori J. Sklar ("Attorney Sklar"), requests
 25 the Court's permission to participate in the September 28, 2007 case management conference by
 26 telephone.

1 This request is made on the grounds that Attorney Sklar's pre-existing commitment that
2 does not allow her to travel to the Court's location at 280 South 1st Street, San Jose, CA 95113
3 from her office in Minnetonka, Minnesota, to attend the case management conference.

4 The name, address, and telephone number of each attorney representing a party is set forth
5 in the attached proof of service.

6 This request is and will be based on this application, the accompanying declaration of Lori
7 J. Sklar setting forth the proper notice and facts supporting this matter, the proposed order, and all
8 pleadings and papers on file in this action.

9
10 Dated: September 20, 2007

SKLAR LAW OFFICES

11
12 By: /s/ Lori J. Sklar

13
14 LORI J. SKLAR

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16 Attorney For Plaintiffs Brian Heisler, Roger Combs,
17 Rob Temple, Thomas Traub, And Jody Agerton

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ORDER

The Court has reviewed and considered the Request of Plaintiffs' Lead Counsel for
Permission to Appear Telephonically at the September 28, 2007 Case Management Conference.

GOOD CAUSE APPEARING, Attorney Lori J. Sklar's request to appear telephonically at the case management conference on behalf of Plaintiffs Brian Heisler, Roger Combs, Rob Temple, Thomas Traub, And Jody Agerton in this action is hereby granted. The parties are directed to set up the telephonic appearance with Court Call in advance of the hearing date. (866-582-6878)

IT IS SO ORDERED.

DATED: 9/27/07


UNITED STATES DISTRICT COURT JUDGE
JEREMY FOGEL

1 **PROOF OF SERVICE**

2 I am employed in the County of Hennepin. My business address is Sklar Law Offices,
3 2234 Sherwood Court, Minnetonka, Minnesota 55305. I am over the age of 18 and not a party to
the foregoing action.

4 I am readily familiar with the business practice at my place of business for collection and
5 processing of correspondence for e-mailing, mailing with United States Postal Service, for
facsimile, and for overnight delivery by Federal Express, Express Mail, or other overnight service.

6 On September 20, 2007, I caused a copy of the following document(s):

7 **REQUEST OF PLAINTIFFS' LEAD COUNSEL FOR PERMISSION TO APPEAR
8 TELEPHONICALLY AT SEPTEMBER 28, 2007 CASE MANAGEMENT
9 CONFERENCE [CIVIL L.R. 16-10(a); AND**

10 **[PROPOSED] ORDER**

11 to be served on the interested parties in this action by placing a true and correct copy
thereof, enclosed in a sealed envelope, and addressed as follows:

12 Nancy L. Stagg
13 FISH & RICHARDSON P.C.
14 12390 El Camino Real
15 San Diego, California 92130
E-mail: Stagg@fr.com
Telephone: (858) 678-4735
Facsimile: (858) 678-5099

16 Attorneys for Defendant Maxtor
17 Corporation

18 **MAIL:** Such correspondence was deposited, postage fully paid, with the
19 United States Postal Service on the same day in the ordinary course
of business.

20 **ELECTRONIC
21 MAIL:** Such document was transmitted by electronic mail to the addressees'
email addresses as stated above.

22 **BY CM/ECF:** I caused such document(s) to be sent via electronic mail through the Case
23 Management/Electronic Case File System with the U.S. District Court for the Southern District of
California.

24 I declare that I am employed in the office of a member of the bar of this Court at whose
25 direction the service was made.

26 I declare under penalty of perjury that the above is true and correct. Executed on
27 September 20, 2007, at Minnetonka, Minnesota.

28 _____
29 /s/ Richard Goldstein
30 Richard Goldstein