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VIA E-FILE and FEDERAL EXPRESS

Judge James Larson
United States District Court
450 Golden Gate Avenue
Courtroom F, 15th Floor
San Francisco, CA 94102

RE: *Alfred Abono, et al. v. City of Pittsburg, et al.*
U.S. District Court - Northern District Docket No. C07-03969 SBA,
related to U.S. District Court - Northern District Docket C07-05371 MHP
Defendants' Letter-Brief regarding appearances at Settlement Conference

Dear Judge Larson:

I am one of the two attorneys representing the City of Pittsburg and three individual police officer defendants in this matter. We are scheduled to appear before you at a settlement conference on March 11, 2008. I will appear with Deborah Fox, lead trial counsel in this matter; and we plan on bringing a representative of the City with authority to recommend settlement to the City Council—Police Chief Aaron Baker. We would like to bring the Chief in lieu of the City's Manager because the Chief is better positioned to answer any questions about this incident than would be the City Manager. Finally, regardless of whether the Chief or the City Manager attends, any potential settlement would be contingent upon City Council approval, as is generally the case with the state's public entities.

In addition, we would like to obtain your permission to excuse two of the three defendant officers—Sergeants Calia and DuPont. These officers will have no independent authority to settle the case and would have to acquiesce to the City representative in any event. Moreover, as they are not working at the time of the conference, their appearances would count as overtime against the City's budget. The third defendant officer—Lieutenant Derby—will appear and is more than capable of answering any questions the Court may have of the incident.

Please let me know if this is acceptable to you. Thank you for your consideration of this request.

Very truly yours,

MEYERS, NAVE, RIBACK, SILVER & WILSON



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TLH:kky

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