

CITY AND COUNTY OF SAN FRANCISCO

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April 27, 2011

The Honorable Richard Seeborg
United States District Court
450 Golden Gate Avenue
Court Room 3, 17th Floor
San Francisco, CA 94102

Re: *Jackson v. City and County of San Francisco*; N.D. Cal. No. C09-2143 RS

EMERGENCY REQUEST FOR CONTINUANCE OF APRIL 27, 2011 MOTION HEARING

Dear Judge Seeborg:

I write concerning the City's motion to dismiss the amended complaint in *Jackson v. City and County of San Francisco*, which is currently scheduled for hearing tomorrow, April 28. Unfortunately, an unforeseen medical emergency has arisen that makes it impossible for Sherri Kaiser, the Deputy City Attorney representing the defendants, from attending the motion hearing tomorrow. Specifically, Ms. Kaiser phoned me at approximately 3:30 p.m. and informed me that her child, who was home from school sick, has taken an unforeseen turn for the worse this afternoon, and may need to be hospitalized this afternoon or this evening. Because Ms. Kaiser needs to attend to this emergency she cannot argue the motion to dismiss tomorrow. Ms. Kaiser is the lead counsel for the defendants, and there is no other attorney in our office who is able to step in on such short notice.

I have spoken with Clint Monfort, plaintiffs' counsel, just a few minutes ago and he informed me that plaintiffs would agree to a one-week continuance on the motion hearing.

We therefore respectfully ask that the motion hearing be continued by a week, to May 5, 2011. We apologize for having to make this request so shortly before the scheduled hearing.

I have left a phone message with your courtroom deputy explaining the situation. I respectfully request that the Court's staff contact me at (415) 554-4675 as soon possible to let me know whether this continuance request is granted or how otherwise to proceed, so that I can appropriately inform Mr. Monfort, who I understand is scheduled to fly to San Francisco tomorrow morning for the hearing.

Very truly yours,

DENNIS J. HERRERA
City Attorney

/s/ Wayne Snodgrass

Wayne Snodgrass
Deputy City Attorney