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January 7, 2009

08-CV-122

VIA E-MAIL

Peter G. McCabe
Rules of Practice and Procedure Committee
Judicial Conference of the United States
Thurgood Marshall Federal Judiciary Building
Washington, DC 20544

**RE: Proposed Amendments to Federal Rules
of Civil Procedure Rules 26 & 56**

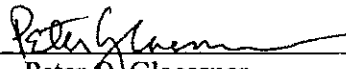
Dear Mr. McCabe:

I wish to give testimony before the Rules Committee in San Francisco regarding the proposed amendments to Rules 26 and 56. I would appreciate the opportunity to speak briefly (three to five minutes maximum) in the morning, as I am scheduled to be a mediator in the afternoon in Oakland. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

LOMBARDI, LOPER & CONANT, LLP

By: _____


Peter O. Glaessner

POG:pog