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Supreme Court of California

FREDERICK K. OHLRICH
COURT ADMINISTRATOR AND
CLERK OF THE SUPREME COURT

February 1, 2006

GARRETT C. DAILEY
Attorney at Law
2915 McClure Street
Oakland, CA 94609

Re: **S139073 - ELKINS v. S.C. (ELKINS)**

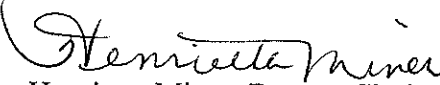
Dear Counsel:

We are enclosing a certified copy of this court's order granting review and issuing an order to show cause in this court why Contra Costa County Superior Court Local Rule 12.5(b)(3) and the trial scheduling order in the present case should not be declared invalid for the reasons stated in the petition for extraordinary relief in the above-referenced case. The return is to be filed on or before March 3, 2006. Your attention is directed to California Rules of Court, rule 56(h) for briefing requirements should you file a reply on behalf of petitioner. Please insure that briefs submitted for filing reflect the case number, title and party designations appearing on the court's order.

Per our Internal Operating Practices and Procedures (§ IV, ¶ L), when review is granted each party must file a "Certification of Interested Entities or Persons" that lists any persons, associations of persons, firms, partnerships, corporations (including parent and subsidiary corporations) or other entities other than the parties themselves known by the party to have either (i) a financial interest in the subject matter of the controversy or in a party to the proceeding; or (ii) any other kind of interest that could be substantially affected by the outcome of the proceeding. For this purpose, we enclose a form for your use. This letter is the sole communication to all counsel for petitioner. If other associated counsel are better situated to provide the required information, please reroute the enclosure to them. The completed form and eight copies should be returned to us within 15 days.

Very truly yours,

FREDERICK K. OHLRICH
Court Administrator and
Clerk of the Supreme Court


Henrietta Miner, Deputy Clerk

SAN FRANCISCO 94102
EARL WARREN BUILDING
350 McALLISTER STREET
(415) 865-7000

 LOS ANGELES 90013
RONALD REAGAN BUILDING
300 SOUTH SPRING STREET
(213) 830-7570

Enclosures
Rec.

Court of Appeal, First Appellate District, Division One - No. A111923
S139073
IN THE SUPREME COURT OF CALIFORNIA
En Banc

JEFFREY ELKINS, Petitioner,

v.

CONTRA COSTA COUNTY SUPERIOR COURT, Respondent;

MARILYN ELKINS, Real Party in Interest.

SUPREME COURT
FILED

FEB - 1 2006

Frederick K. Ohlrich Clerk

DEPUTY

The petition for review is GRANTED.

The Contra Costa County Superior Court is ordered to show cause in this court why Contra Costa County Local Rule 12.5(b)(3) and the trial scheduling order in the present case should not be declared invalid for the reasons stated in the petition for extraordinary relief. The return is to be filed on or before March 3, 2006.

Chin, J., was absent and did not participate.

George

Chief Justice

Kennard

Associate Justice

Baxter

Associate Justice

Associate Justice

Associate Justice

Moreno

Associate Justice

Corrigan


Associate Justice

I, Frederick K. Ohlrich, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court as shown by the records of my office.

Witness my hand and the seal of the Court this

day of FEB 1 - 2006 20

Clerk

By: 
Deputy

CERTIFICATION OF INTERESTED ENTITIES OR PERSONS

ELKINS v. S.C. (ELKINS) (S139073)

<u>Full Name of Interested Entity/Person</u>	<u>Party / Non-Party</u>		<u>Nature of Interest</u>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
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Submitted by: **GARRETT C. DAILEY, Attorney at Law, Counsel for Petitioner.**