

GUTRIDE SAFIER LLP

Attorneys at Law

September 28, 2010

Honorable Judge Chen
 United States District Court for the Northern District of California
 450 Golden Gate Avenue
 San Francisco, CA 94102

Re: Chavez v. Blue Sky Natural Beverage Company, et al, Case No., 3:06-CV-06609 (VRW) – Letter re Order to Show Cause – VN Graphics, Inc.

Dear Judge Chen:

On September 3, 2010, this Court issued an order directing third-party VN Graphics, Inc. (“VN Graphics”) to produce certain documents and information, and file a certificate of compliance, by September 15, 2010. (Dkt.# 144.) If VN Graphics did not produce the documents or certify its compliance as directed, this Court indicated that it would refer the matter to Judge Walker for hearing on September 9, 2010, at 10:00 a.m., at which time VN Graphics was ordered to show cause why it should not be adjudged to be in contempt of Court and accordingly sanctioned. (Id.) Plaintiff was ordered to personally serve a copy of the Court’s order on VN Graphics such that it is received no later than September 8, 2010. (Id.)

Plaintiff personally served this Court’s order on September 8, 2010. (Exhibit A.) To date, VN Graphics has not produced any documents or filed a certification of compliance. It also did not appear on September 9, 2010, at 10:00 a.m. before Judge Walker. Because VN Graphics was not served with this Court’s order until a day before the order to show cause hearing, Plaintiff requests that this Court issue a order continuing the show cause hearing until November 4, 2010 at 10:00 am before Judge Walker.¹ Plaintiff will again personally serve the order continuing the show cause hearing.

As always, Plaintiff very much appreciates the Court’s assistance.

Sincerely yours,

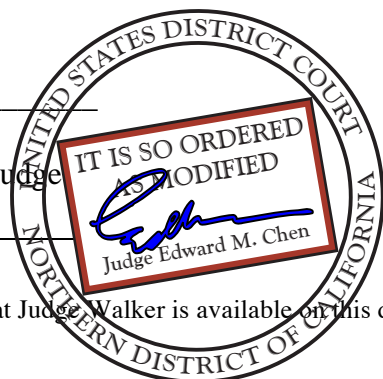
/s/ Seth A. Safier

Seth A. Safier, Esq.
 Attorneys For Plaintiff

cc: All counsel of record

IT IS SO ORDERED that the OSC hearing is continued to 11/4/10 at 10:00 a.m. or to another date to be determined by Judge Walker.

 Edward M. Chen
 U.S. Magistrate Judge



¹ Plaintiff believes that Judge Walker is available on this date and also that it provides VN Graphics with sufficient notice.

EXHIBIT A

<i>Attorney or Party without Attorney:</i> ADAM J. GUTRIDE (SBN 181466) GUTRIDE SAFIER LLP 835 DOUGLASS STREET SAN FRANCISCO, CA 94114 Telephone No: 415-336-6545				<i>For Court Use Only</i>	
<i>Attorney for:</i> Plaintiff			<i>Ref. No. or File No.:</i> VN GRAPHICS		
<i>Insert name of Court, and Judicial District and Branch Court:</i> United States District Court, Northern District Of California					
<i>Plaintiff:</i> CHRIS CHAVEZ, etc. <i>Defendant:</i> BLUE SKY NATURAL BEVERAGE CO., etc., et al.					
PROOF OF SERVICE		<i>Hearing Date:</i>	<i>Time:</i>	<i>Dept/Div:</i>	<i>Case Number:</i> CV-06-06609 VRW (EMC)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the ORDER COMPELLING VN GRAPHICS, INC. TO PRODUCE DOCUMENTS IN RESPONSE TO SUBPOENA OR TO SHOW CAUSE WHY IT SHOULD NOT BE ADJUDGED IN CONTEMPT OF COURT.
3. a. Party served: VN GRAPHICS, INC.
 b. Person served: SAM COURTNEY, OWNER/AUTHORIZED TO ACCEPT
4. Address where the party was served: 14640 NE 91ST STREET
 REDMOND, WA 98052
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Wed., Sep. 08, 2010 (2) at: 2:28PM

7. Person Who Served Papers:

a. RANDY RADKE

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. The Fee for Service was:

e. I am: Not a Registered California Process Server



301 Civic Center Drive West
 Santa Ana, CA 92701
 Telephone (714) 541-1110
 Fax (714) 541-8182
 www.firstlegallnetwork.com

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Thu, Sep. 09, 2010

Randy Radke
 (RANDY RADKE)
 6604182.gutsa-sf-312048