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December 2, 2009

Magistrate Judge Bernard Zimmerman
United States District Court
Northern District of California
Courtroom G, 15th Floor, Federal Building
450 Golden Gate Avenue
San Francisco, CA 94102

Re: **Gund v. Pratt & Whitney Canada Corp. –
Order Scheduling Settlement Conference**
Case No. C07-4902 TEH (BZ), consolidated with
C08-3795 TEH (BZ)

Dear Magistrate Zimmerman,

The parties received the Court's Order Scheduling Settlement Conference in the *Gund v. Pratt & Whitney Canada Corp., et al* matters, setting a Settlement Conference for Tuesday, December 15, 2009. At the Case Management Conference before Judge Henderson, we agreed with the Court that the parties would attempt to settle the case, using a private mediator (likely during the Spring of 2010), and if the matter did not settle, then we would take advantage of a settlement conference before Your Honor (during late July, early August 2010). Defendant *Pratt & Whitney* and the *Kells* and *Ruetz* plaintiffs have also discussed the issue and agree that further discovery should be completed in order for a settlement conference to be productive, and therefore believe that a December settlement conference is premature.

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As such, we respectfully request that the Settlement Conference be continued to a date that is convenient for the Court in late July / early August 2010. We are available to discuss this matter if the Court would like us to set up a conference call at the Court's convenience.

We look forward to hearing from the Court.

Respectfully submitted,

/s/ Stuart R. Fraenkel

Stuart R. Fraenkel
Kreindler & Kreindler LLP
Counsel for Kells & Ruetz Plaintiffs

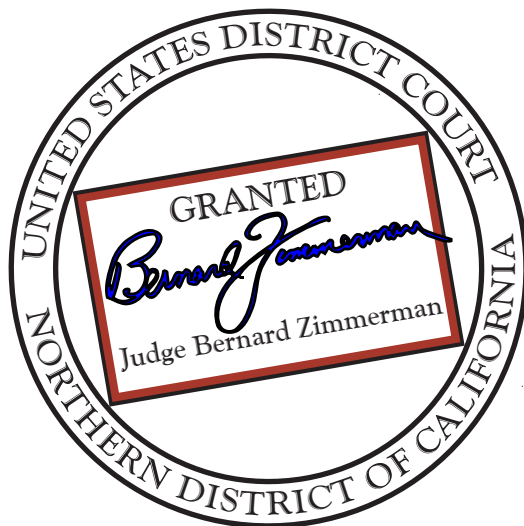
/s/ Elizabeth L. Crooke

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/s/ Garth W. Aubert

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The settlement conference presently scheduled for December 15, 2009 is continued to **July 27, 2010 at 9:00 a.m.** The Court's previous Order remains in full force and effect. Settlement conference statements are due seven (7) days prior to the settlement conference. The parties shall notify the Court immediately if the case settles prior to the settlement conference date.
Dated: 12/3/2009