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377,861-004

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May 22, 2009

VIA FACSIMILE AND MAIL (510) 637-3327

The Honorable Wayne D. Brazil
United States Magistrate Judge
Northern District of California
Courtroom 4, 3rd Floor
1301 Clay Street
Oakland, CA 94612

Handwritten signature and initials (WDB) in a large, stylized script.

Re: Campanelli, et al. v. The Hershey Company
U.S. District Court, Northern District of California
Case No. 08-cv-01862 WDB

Dear Judge Brazil:

A status conference is currently scheduled in the above-captioned matter for May 28, 2009. As the Court is aware, the parties have recently been engaged in substantial meet-and-confer efforts with the goal of moving this case forward to conduct a mediation by August 1, 2009, including telephonic status conferences with the Court and the submission of joint status reports. In light of those efforts, the parties do not believe it is necessary to have a status conference on May 28, and respectfully request a continuance of the same.

Both parties are available for a status conference on August 6, 2009, at 1:30 p.m. It is our understanding that the Court may have availability at this time, and the parties therefore respectfully request that the status conference be so re-scheduled.

Respectfully submitted,

Respectfully submitted,

/s/ Chris A. Hollinger

/s/ Brian J. Malloy (with authorization)

CHRIS A. HOLLINGER
O'MELVENY & MYERS LLP
Counsel for Defendant

BRIAN J. MALLOY
THE BRANDI LAW FIRM
Counsel for Plaintiff

cc: All Counsel (via e-mail)

IT IS ORDERED that the status conference set for May 28, 2009 is continued to August 6, 2009, at 1:30 p.m.

DATED: 5/26/2009

