

The Legal Aid Society  
EMPLOYMENT LAW CENTER

*Advocating for workers,  
their families and communities*

**VIA ELECTRONIC FILING**

Joan Messing Graff  
*President*

October 23, 2008

William C. McNeill III  
*Managing Attorney*

Patricia A. Shiu  
*Vice President, Programs*

The Honorable Edward M. Chen  
U.S. District Court for the Northern District of California  
450 Golden Gate Ave.  
San Francisco, CA 94102

*Senior Staff Attorneys*  
Claudia Center  
Michael T. Gaitley  
Christopher Ho

Re: Foster v. Rotech, Case No. 08-3740 EMC

Christina Chung  
*Staff Attorney*

Dear Judge Chen:

Matthew Goldberg  
*Staff Attorney*

Shelley A. Gregory  
*Staff Attorney*

The parties in the above-referenced case have agreed to private mediation with Charles Farnsworth set for November 12, 2008.

Professor Joseph R. Grodin  
*Special Counsel*

Denise M. Hulett  
*Staff Attorney*

In an effort to reduce attorneys' fees and costs, plaintiff has not yet served the Complaint in this matter and therefore defendant has not officially made an appearance. However, since we have agreed to early mediation, plaintiff requests that the Court continue the CMC, currently set for November 19, 2008. Your clerk, Ms. Fong, was kind enough to inform me that January 14, 2009 at 1:30 p.m. is available for the CMC.

Jinny Kim  
*Staff Attorney*

Elizabeth Kristen  
*Staff Attorney*

Anya Lakner  
*Project Attorney*

Ruth Silver Taube  
*Special Counsel*

My opposing counsel has indicated that she is amenable to plaintiff's request for a continuance and I have copied her on this letter.

Sharon Terman  
*Staff Attorney*

Thank you for considering this request.

Carole Vigne  
*Skadden Fellow*

Very truly yours,

Elizabeth Kristen

Ann Blankenship  
*Paralegal*

Pamela Mitchell  
*Litigation Assistant*

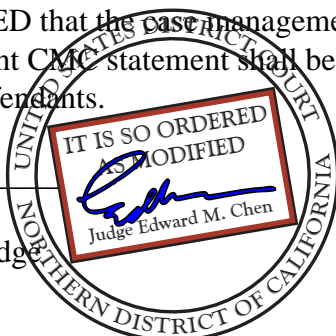
Mary Broughton  
*Paralegal*

Djuna Gray  
*Litigation Assistant*

cc: Robin Siefkin, ADA Unit (via facsimile 415-522-4112)  
Kristina Launey, Seyfarth Shaw (via facsimile 916-288-6334)

IT IS SO ORDERED that the case management conference is reset from 11/19/08 to 1/14/09 at 1:30 p.m. A Joint CMC statement shall be filed by 1/7/09. Plaintiff shall serve a copy of this order upon defendants.

Edward M. Chen  
U.S. Magistrate Judge



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