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**Andrew B. Lachow**  
Vice President and  
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October 19, 2009

**Electronically Filed/Courtesy Copy by Fax**

Honorable James Larson  
United States Chief Magistrate Judge  
United States District Court  
Northern District of California - San Francisco  
450 Golden Gate Avenue  
Courtroom F, 15th Floor  
San Francisco, California 94102

Re: Jomira/Advance - No. C 08-04724 JL

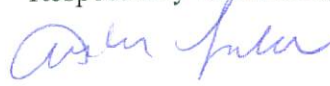
Dear Chief Judge Larson:

I write as attorney for defendant Time Inc. in the above-referenced action to respectfully request that I be permitted to participate in the Case Management Conference scheduled for Wednesday, October 21, 2009 in the above-referenced action by telephone rather than personal appearance. I have conferred with Lester O'Shea, counsel for plaintiff, and he consents to this application.

I am in-house litigation counsel for Time Inc., am handling this matter myself and am located in New York, New York. Although the matter is obviously important to the litigants, this is an uncomplicated commercial dispute that does not involve a sizable amount of money. Lester O'Shea, counsel for plaintiff, and I are working diligently together to resolve this matter. As set forth in the recently filed Case Management Statement, On April 30, 2009, the parties participated in an Early Neutral Evaluation before Samuel F. Barnum, and on September 3, 2009, the parties attended a settlement conference before the Hon. Edward M. Chen, United States Magistrate Judge. We have made substantial progress and believe we are very close to reaching a settlement. I respectfully submit that the money that would be incurred for me to attend the conference in person could be put to better use in resolving the matter. Further, the parties have jointly proposed a relatively short extension of the discovery cut-off and the filing of summary judgment papers in order to use the time to reach an agreement and then memorialize the agreement in writing. Accordingly, the upcoming conference should be relatively straightforward since, at the present time, there are no disputes between the parties relating to discovery or other matters concerning the litigation.

For these reasons, I respectfully request permission to appear at the October 21, 2009 conference by telephone.

Respectfully Submitted,



Andrew B. Lachow

cc: Lester O'Shea, Esq.  
369 Pine Street, Suite 400  
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