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October 5, 2009

S0138.719

VIA HAND DELIVERY

The Honorable Joseph C. Spero
United States Magistrate Judge
United States District Court
Northern District of California
Department A
450 Golden Gate Avenue
San Francisco, California 94102

Re: ***Shao v. Forster Settlement Conference***
United States District Court, Northern District, Case No. C08-5112 CRB

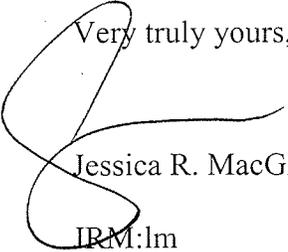
Dear Magistrate Spero:

On November 5, 2009, the parties in this matter are returning to you for a further settlement conference. This follows Judge Breyer's order to apply California law.

Mr. Shao is presently located in Hong Kong. Because travel to attend the conference is both expensive and time-consuming, we ask that he be permitted to attend the conference by telephone. His business partner, Oleg Gorelik, will attend the conference in person.

Thank you.

Very truly yours,

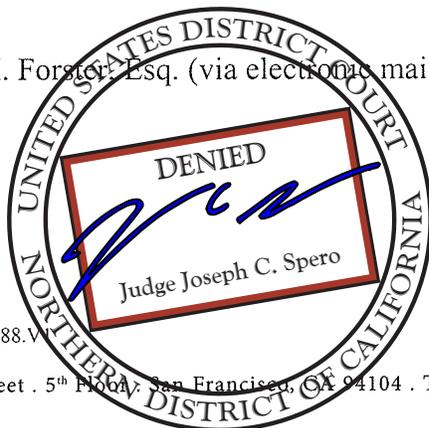


Jessica R. MacGregor

IBM:lm

cc: Denis M. Forster, Esq. (via electronic mail only)

Dated: 10/6/9



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