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E-filed

January 12, 2011

Honorable Maria-Elena James
Courtroom B, 15th Floor
U.S. District Court, Northern District
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Moorehead, Ken v. Safeway—
U.S. District Court of CA, Northern District Case No. CV092182

Your Honor:

As discussed with your chambers, defendant Safeway Inc. proposes that the Settlement Conference in this matter—currently scheduled for January 28 at 10:00 a.m.—be continued until May 27 at 10:00 a.m. to permit defendant to obtain discovery from plaintiff *pro se*.

Very truly yours,

Theodore K. Bell
Senior Corporate Counsel
Legal Division, Trial Group

cc: Brenda Tolbert, Courtroom Deputy
Honorable Richard Seeborg

IT IS SO ORDERED:

Judge Maria-Elena James

Safeway Inc.
5918 Stoneridge Mall Road
Pleasanton, CA 94588-3229

2 PROOF OF SERVICE

3 I am a citizen of the United States and a resident of the State
4 of California. I am over the age of eighteen years, and not a party
5 to the within action. I am employed in the office of a member of
6 the bar of this Court, at whose direction the service was made. My
7 business address is 5918 Stoneridge Mall Road, Pleasanton,
8 California 94588. On the date set forth below I served:

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10 **Letter dated 1/12/11 to Honorable Maria-Elena James**
11 **Requesting Continuance of January 28, 2011 Settlement**
12 **Conference to May 27, 2011**

13 X (BY MAIL) I caused each envelope, with postage
14 thereon fully prepaid, to be placed in the United States
15 mail at Pleasanton, California. I am readily familiar
16 with the practice of Safeway Inc. for collection and
processing of correspondence for mailing, said practice
being that in the ordinary course of business, mail is
deposited in the United States Postal Service the same
day as it is placed for collection.

17 — (BY PERSONAL SERVICE) I delivered to an
18 authorized courier or driver authorized by _____
19 to receive documents to be delivered on the same date.
A proof of service signed by the authorized courier will
be filed forthwith.

20 — (BY FEDERAL EXPRESS) I am readily familiar with
21 the practice of Safeway Inc. for collection and
22 processing of correspondence for overnight delivery
and know that the document(s) described herein will be
23 deposited in a box or other facility regularly maintained
by Federal Express for overnight delivery.

24 — (BY FACSIMILE) The above-referenced document was
25 transmitted by facsimile transmission and the
transmission was reported as complete and without
error to the numbers listed below.

26 — (FEDERAL) I declare that I am employed in the office
27 of a member of the bar of this court, at whose direction
this service was made.

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X (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Said document was served on the following:

Ken Moorehead
34 Turk Street #351
San Francisco, CA 94102

Executed on this 12th day of January 2011 at Pleasanton, California.



Denise Passama