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February 18, 2011

**JOINT LETTER REQUESTING COURT GRANT AN EXTENSION OF THE
DISCOVERY DEADLINE, PENDING ZIMMERMAN DECISION ON MOTIONS TO
COMPEL AND REQUEST FOR SANCTIONS
FILED 12/23/09**

Hon. Bernard Zimmerman
United States Magistrate Judge
Northern District Court, 16th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

VIA ELECTRONIC FILING

Re: Gregorio v. Trophy Properties IX, LLC
Case No. C09-2979 (BZ)

Dear Hon. Zimmerman:

Reynaldo Gregorio ("Plaintiff") AND Defendants hereby request the following:

An extension of the discovery cutoff date pending your Honor's decision on the electronically filed request made by Plaintiff Gregorio on February 15, 2011, decision which is still pending. [Document #72] The parties request a brief extension of three weeks, or until March 8, 2011, as Mr. Singer is on vacation between February 21, 2011 and February 28, 2011.

The parties jointly stipulated to a continuance of the trial date in this matter to enable Mr. Singer additional time to obtain the documents from his client Frank Lembi as referred to in Plaintiff's request dated February 15, 2011. [Doc#72] However, the parties learned a few minutes ago that the Stipulation to continue the trial dates was denied by the Honorable Conti. Since your honor has ordered that the deposition of Frank Lembi proceed on Friday, February 18, 2011, Plaintiff Gregorio is willing to proceed with the deposition but now Mr. Lembi is no longer available, having altered plans based on the belief that the Stipulation would be granted.

