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August 23, 2010

Via E-File

The Hon. Edward M. Chen
United States District Court – Northern District of California
450 Golden Gate Ave., 16th Floor
San Francisco, CA 94102

**Re: Lindsay Focht v. Sol Meliá, S.A. dba Sol Melia Hotels and Resorts
USDC, Northern District of CA, Case No.: 3:10-cv-00906-EMC
Our File No.: 08530.00012**

Dear Judge Chen:

We represent named defendant Sol Meliá, S.A. in the above referenced action. On August 9, 2010, the Court issued an Order Granting Plaintiff's Motion for Jurisdictional Discovery (Docket No. 19), heard on July 21, 2010. Per the Order, the Court directed the parties to file a joint letter by August 20, 2010 if there remains a dispute. This letter is to detail "the dispute and the last offer of compromise made by each party in respect with each dispute."

We apologize for the delay in submitting this letter to the Court. Counsel for plaintiff Focht has been on vacation and will return August 27, 2010. Despite this short delay, Sol Meliá is mindful of the Court's Order. As the enclosed correspondence reflects, a number of issues remain to be resolved regarding the scope of the person most knowledgeable deposition and the location and/or method of taking this deposition.

On July 27, 2010, plaintiff produced an amended Notice of Deposition of PMK, preempting receipt of the Court's written Order. In spite of the Court's direction at the hearing that plaintiff narrow the scope of PMK deposition, the categories of the amended Notice virtually mirrored the original categories submitted in support of plaintiff's Motion.

On July 30, 2010, counsel for Sol Meliá responded to plaintiff's July 27th email via telephone informing counsel that Sol Meliá would like to review the Court's Order before further agreeing to the scope of the PMK deposition. Plaintiff followed up with an e-mail on August 9th and Sol Meliá responded via letter on the 10th.

As outlined in Sol Meliá's last meet and confer effort, it interprets the Court's Order to permit two jurisdictional depositions; one being the deposition of Mr. Carlos Sosa, employee of The Sol Group, and two being the person most knowledgeable with regard to the structure of Sol Meliá, its various subsidiaries, the subsidiaries of its subsidiaries, and its alleged relationships with California travel agencies and tour groups. As submitted, plaintiff's amended Notice goes far beyond the scope of the Court's Order.

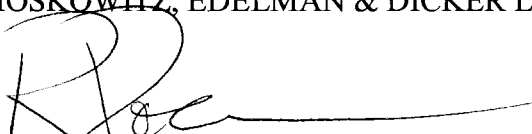
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Sol Meliá's last meet and confer letter identifies which of plaintiff's PMK categories (and sub-categories) it believes fall within the scope of the Court's Order. This letter also indicates that it will provide the identity of PMK and the preferred method of taking of the deposition to plaintiff as soon as possible. Although Sol Meliá anticipates a meaningful response upon plaintiff's counsel's return from vacation, this communication will clearly occur after the submission of this letter.

As such, Sol Meliá respectfully requests that the Court extend the deadline in which the parties may submit a joint letter detailing any remaining disputes regarding the scope of the Court's Order to September 3, 2010.

Very truly yours,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP



Ralph W. Robinson

Enclosures

cc: Martin Blake, Esq.

IT IS SO ORDERED that parties may submit joint letter by 9/3/10.

Edward M. Chen
U.S. Magistrate

