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May 23, 2013

Magistrate Judge Joseph C. Spero
United States District Court
Northern District of California
Courtroom G – 15th Floor
450 Golden Gate Avenue
San Francisco, CA 94110

VIA E-MAIL & ECF

Re: McHale v. Silicon Valley Law Group
Action No.: CV 10-04864 JCS

Dear Judge Spero:

Lerch Sturmer LLP represents defendant Silicon Valley Law Group in the above-captioned matter. I write this letter jointly on behalf of both defendant and plaintiff, with the permission of Michael Devorkin and Jacqueline Veit, counsel for the plaintiff Gerard A. McHale, P.A., Liquidation Trustee. The purpose of this letter is to request a brief extension of the May 24, 2013 deadline for submission of revised binders of deposition designations (as ordered in Docket No. 155). All other deadlines in Docket No. 155 will be maintained.

The parties are jointly requesting an extension for the submission of the revised binders of deposition designations to June 3, 2013. Defendant Silicon Valley Law Group has identified deposition testimony to which objections will be withdrawn consistent with your honor's rulings on in limine motions. However, due to our involvement in an ongoing trial, we will be unable to provide our revised designations to plaintiff in sufficient time for the mechanical process of preparing the revised binders to be completed for filing with the court by the May 24 deadline. The revised binders are being compiled by Mr. Devorkin's office in New York.

The reason for this request is that both trial counsel for Silicon Valley Law Group continue to be in trial in Marin County Superior Court before the Honorable Paul Haakenson. The matter in Marin was originally scheduled to commence trial on April 23 and was expected to be concluded by now, but the jury phase of this case did not commence until May 13. Prior to that time, I was in trial in Sacramento County Superior Court before the Honorable Gerrit Wood in a matter that commenced trial on April 15 and concluded on May 15.

Given the foregoing, the parties jointly request the Court to grant an extension for the submission of the binders of revised deposition designations to Monday June 3 (to allow sufficient time for the binders to be shipped from New York). No other deadlines would be changed or affected by this requested extension.

We thank you for your consideration of the foregoing. If the Court needs to reach counsel for Silicon Valley Law Group about this request, I will check my voice mail during breaks in trial for any messages from the Court in this regard. I will provide my cell phone number in a separate email directly to Ms. Hom for that purpose.

Respectfully submitted,
LERCH STURMER LLP

//s//

Debra Steel Sturmer

cc: Ms. Karen Hom (via email)
Michael Devorkin, Esq. (via email)
Jacqueline Veit, Esq. (via email)
Jerome Lerch, Esq. (via email)
Rosemarie Vernola (via email)

Dated: May 28, 2013

