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April 5, 2013

Via E-Filing

Honorable Joseph C. Spero
United States District Court
Northern District of California
450 Golden Gate Avenue, Courtroom G - 15th Floor
San Francisco, California 94102

Re: Daniel Villalpando v. Exel Direct, Inc., et al.
USDC Case No. C 12-04137 JCS

Dear Judge Spero:

The undersigned counsel for the defendants has conferred with counsel for plaintiff regarding the Case Management Conference set for April 12, 2013, and the parties respectfully submit the following joint letter to apprise the Court of the status of the above-captioned matter.

Due to unanticipated calendar conflicts in three other class action matters (including a major appellate briefing in the California Second District Court of Appeal, a class certification motion in federal district court for the Eastern District of Louisiana, and ongoing motion practice and discovery in a certified class action in the Central District of California), counsel for plaintiff (Guy Wallace) has advised that his office will not be available for the presently scheduled May 3, 2013 mediation before Mark Rudy. Mr. Wallace is willing to provide a Declaration to the Court discussing the foregoing difficulties and constraints if the Court deems it to be necessary, and regrets any burden on the Court's schedule herein.

Counsel are advised that Mr. Rudy's next available dates for mediation, which will meet counsels' and the parties' schedules, fall in July and August of 2013 and, thus, the parties jointly request that the April 12, 2013 Case Management Conference be continued to late August 2013 and that the parties be allowed to complete the mediation prior to the reset Case Management Conference. Further, the parties agree that it would be appropriate and efficient to address the pretrial schedule including the schedule on any motion for class certification if and when mediation efforts are unsuccessful.

Guy Wallace, counsel for plaintiff, has reviewed and approved this letter and confirms that the request herein for a continuance of the Case Management Conference is a joint request.

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Honorable Joseph C. Spero
April 5, 2013
Page 2 of 2

If the Case Management Conference does go forward on April 12, 2013, the undersigned counsel requests permission to appear by telephone and will be available at the time of the conference at 626-345-5020.

The parties thank the Court for its attention to this matter.

Very truly yours,

/s/ Christopher C. McNatt, Jr.

Christopher C. McNatt, Jr.

4834-1605-4547, v. 2

IT IS HEREBY ORDERED THAT that the case mangement conference, set for April 12, 2013, at 1:30 PM, is hereby continued to August 23, 2013, at 1:30 PM. Updated joint case management conference statement shall be due by August 16, 2013.

Dated: April 8, 2013

