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December 14, 2012

Hon. Joseph C. Spero
United States District Court
Northern District-San Francisco Courthouse
Courtroom G - 15th Floor
450 Golden Gate Avenue,
San Francisco, CA 94102

Re: AO Ventures, LLC. v. Armando Gutierrez, Jr., et al
Case # 3:12-cv-4625-JCS

Dear Judge Spero:

We represent Defendant, Armando Gutierrez, Jr. in the above-referenced case. On behalf of our client, we filed a Motion to Dismiss Pursuant to FRCP 12(b)(1), 12(b)(2), and 12(b)(3). The motion is scheduled to be heard on December 21, 2012 at 9:30am, concurrently with co-defendant CEA Global, Inc.'s 12(b)(6) Motion to Dismiss, and the Case Management Conference.

Our offices are located in San Diego. I respectfully request leave of court to appear telephonically at the December 21 hearing because Fridays are our Law & Motion hearing days in state court in San Diego County and I have other local hearings scheduled on Friday, December 21, 2012 that I need to attend personally.

Thank you.

IT IS HEREBY ORDERED THAT Mr. Baumgarten shall provide the clerk with a direct land line number by Wed., 12/19/12. Mr. Baumgarten shall be on phone standby beginning at 9:30 AM and wait the Court's call.
Dated: 12/17/12

Very Truly Yours,

/s/

David W. Baumgarten

