

## Lafayette &amp; Kumagai

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Lafayette & Kumagai LLP  
Attorneys

101 Mission Street, Suite 600  
San Francisco, CA 94105

415.357.4600 TEL  
415.357.4605 FAX  
www.lkclaw.com

March 15, 2016

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

**Re: *Dana v. The Hershey Company, et al.***  
**U.S. District Court, Northern District of California**  
**Case No. 3:15-cv-04453-JCS**

Dear Judge Spero:

We are local counsel for Defendants The Hershey Company and Hershey Chocolate & Confectionery Corporation (together, "Hershey") in the above-referenced matter and are writing in regards to the hearing on Hershey's Motion to Dismiss scheduled for this Friday, March 18, 2016 at 2:00 p.m.

Our co-counsel at Patterson Belknap Webb & Tyler LLP will be arguing the motion on behalf of Hershey, and Mr. Lafayette and I, as local counsel, plan on appearing as well. However, we would like to request that Mr. Lafayette be permitted to appear by telephone. Mr. Lafayette was involved in an accident over the weekend, and as a result of injuries he sustained, may not be able to attend the hearing in person. His landline number is 510-848-2682.

Please let us know if you have any questions.

Sincerely,

LAFAYETTE & KUMAGAI LLP

*/s/ Brian H. Chun*

BRIAN H. CHUN

Mr. Lafayette shall be on phone standby  
and await the Court's call.

Dated: 3/16/16

