



Holme Roberts & Owen LLP  
*Attorneys at Law*

SAN FRANCISCO

March 16, 2009

**By E-Filing**

BOULDER

Hon. Joseph C. Spero  
United States Magistrate Judge  
450 Golden Gate Ave.  
Courtroom A, 15<sup>th</sup> Floor  
San Francisco, CA 94102

COLORADO SPRINGS

Re: *Jackson v. Balanced Health Products, et al.*, Case No. 08-05584 CW  
(JCS); Request to Continue Deadline For Settlement Conference  
Statements to March 25, 2008

DENVER

Dear Judge Spero:

LONDON

We represent defendant Vitamin Shoppe Industries, Inc., in the above-mentioned case, and write on behalf of all parties to request a modification of this Court's March 9, 2009 Settlement Conference Order with respect to the deadline to submit settlement conference statements. This Court's order currently requires the parties to submit their statements not less than 14 days before the scheduled April 1, 2009 conference – or by March 18, 2009.

LOS ANGELES

In agreeing to seek a settlement conference before this Court, the parties had discussed exchanging settlement conference statements by March 25, 2009. This case is still at the pleading stage. Plaintiffs filed a First Amended Complaint on March 2, 2009, and the defendants' responses are not due until March 23, 2009. For these reasons, the parties respectfully request that they be given a one-week extension of time to submit their settlement conference statements, up to and including March 25, 2009.

MUNICH

PHOENIX

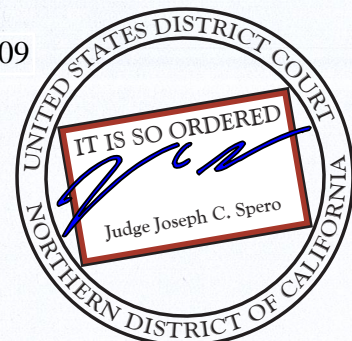
Respectfully submitted,

Dated: March 17, 2009

Adam Brezine

SALT LAKE CITY

cc: All Counsel (by E-Filing)  
David Gernsbacher (by E-mail)



Adam Brezine 415.268.1988 adam.brezine@hro.com

560 Mission Street, 25th Floor San Francisco, California 94105-2994 tel/ 415.268.2000 fax 415.268.1999

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