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**VIA HAND DELIVERY**

August 21, 2009

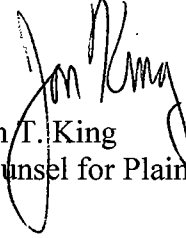
The Hon. Claudia Wilken  
United States District Court  
Northern District of California  
Oakland Division  
1301 Clay Street, Suite 400 S  
Oakland, CA 94612-5212

Re: *O'Bannon, Jr. v. National Collegiate Athletic Association, et al.*, Case No. CV:  
09-3329 (CW) ("*O'Bannon*")

Dear Judge Wilken:

I am among the counsel for Plaintiff Ed O'Bannon in the above-captioned *O'Bannon* action. On August 12, 2009, counsel for Plaintiff and the two Defendants (the National Collegiate Athletic Association ("NCAA") and the College Licensing Company ("CLC")) filed with this Court a Stipulation Extending Time to File and Serve Responsive Pleadings (Dkt. Entry No. 28). The stipulated schedule envisioned the Plaintiff filing an amended complaint by today, and the Defendants filing responsive pleadings within 30 days. At the request of Plaintiff, the parties are in the process of conferring on a stipulated revised schedule, and Defendants have indicated their consent to Plaintiff temporarily postponing the filing of an amended complaint. I anticipate reporting back to the Court next week, and write today simply to keep the Court apprised of the parties' efforts.

Yours very truly,

A handwritten signature in black ink, appearing to read "Jon King". The signature is written in a cursive style with a large, looping initial "J".

Jon T. King  
Counsel for Plaintiff Edward O'Bannon

cc: All Counsel Appearing in the *O'Bannon*  
ECF Docket (via e-filing notification)