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December 7, 2007

Hon. Joseph C. Spero  
United States District Court  
450 Golden Gate Avenue  
San Francisco, CA 94102

Re: Duvall v. Galt Medical Corp., et al.  
Case No. C07-03714 JC

Dear Judge Spero:

I am writing to notify the Court that the parties have agreed on a private mediator and on a date for mediation and to request the Court's permission for the mediation to be conducted on that date.

At the November 30, 2007 Case Management Conference, the Court ordered the parties to arrange to mediate the case by January 31, 2007. The Court also told the parties at the Case Management Conference that it would consider granting additional time to conduct the mediation, particularly if the availability of mediators was at issue.

After conferring, the parties agreed to have this case mediated by one of two very experienced mediators with excellent reputations. Unfortunately, March 3, 2008 was the first full day either mediator had available.

Accordingly, the parties jointly request the Court's permission to mediate this case on March 3, 2008. The mediation would be conducted that day by Randall Wulff. We appreciate the Court's consideration of our request.

Very truly yours,



Phil Horowitz

cc: Edward P. Perrin  
Adrienne Hirst  
D. Ronald Ryland  
Craig Pinedo