

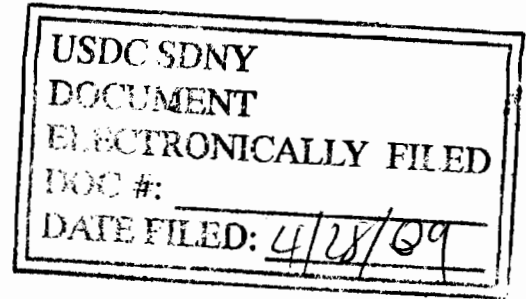
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April 27, 2009



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*Conf. adjourned
to 5/22/09, 9:30 am.
4-27-09
Alv Hellerstein*

BY FACSIMILE

Hon. Alvin K. Hellerstein
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St., Room 1050
New York, NY 10007

Re: Fairey et al. v. The Associated Press (Case No. 09-CV-01123 (AKH))

Dear Judge Hellerstein:

We represent defendant and counterclaim plaintiff The Associated Press in the above-referenced litigation. We understand that an initial court conference has been scheduled for Friday, May 15, 2009 at 9:45 a.m. Unfortunately, we have a preexisting conflict at that time. If the Court's schedule permits, we respectfully request that the conference be rescheduled for either the afternoon of Friday, May 15, or the morning of the following Friday, May 22, 2009. We have discussed this request with The Center for Internet and Society and Durie Tangri Lemley Roberts & Kent, LLP, counsel for plaintiffs and counterclaim defendants, who have consented to this request and informed us that they are available at either of the proposed times. No previous request for an adjournment has been made.

We thank the Court for its assistance with this matter.

Respectfully submitted,

Claudia Ray
of KIRKLAND & ELLIS LLP

cc: Anthony Falzone (Counsel for Plaintiffs/Counterclaim Defendants; via email)
Julie Ahrens (Counsel for Plaintiffs/Counterclaim Defendants; via email)
Joseph Gratz (Counsel for Plaintiffs/Counterclaim Defendants; via email)
Mark Lemley (Counsel for Plaintiffs/Counterclaim Defendants; via email)