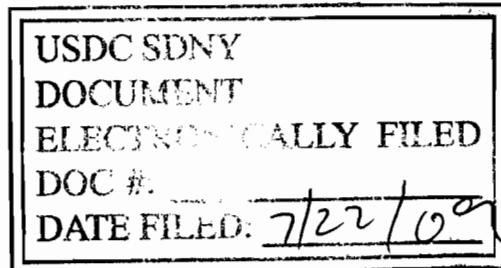


KIRKLAND & ELLIS LLP
AND AFFILIATED PARTNERSHIPS

601 Lexington Avenue
New York, New York 10022



Dale M. Cendali
To Call Writer Directly:
(212) 446-4846
dale.cendall@kirkland.com

(212) 446-4800
www.kirkland.com

Facsimile:
(212) 446-4900

July 22, 2009

*So ordered -
The conf. of Sep. 11, 2009 is
adjourned to Nov. 20, 2009,
10:00 am - 2-22-09
Al K Heller*

Hon. Alvin K. Hellerstein
U.S. District Judge
U.S. District Court, S.D.N.Y.
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007-1312
Tel: (212) 805-0127; Fax: (212) 805-7942

Re: *Shepard Fairey et al. v. The Associated Press*, Case No. 09-01123

Dear Judge Hellerstein:

The parties in this matter write jointly to inform Your Honor that we do not oppose Mannie Garcia's motion to intervene in this action, which was filed on July 8, 2009. We do respectfully ask the Court to give the parties until Friday, August 14, 2009 to respond to Mr. Garcia's pleading.

We also ask the Court to postpone the fact discovery cutoff until October 23rd in light of Mr. Garcia's intervention, which will require additional discovery and has already delayed previously-scheduled depositions. The parties request this extra time because we had originally planned to complete fact discovery in August and had postponed other, unrelated matters to September. Lastly, we note that Your Honor has scheduled the next Court conference for Friday, September 11th, but Your Honor may prefer to reschedule this conference for a later date coinciding with the close of fact discovery.

Sincerely,

Dale Cendali, esq. Anthony Falzone, esq.

Dale M. Cendali and Anthony T. Falzone
Counsel for *The Associated Press* and
Shepard Fairey et al., respectively

Cc: George F. Carpinello (counsel for Mannie Garcia)