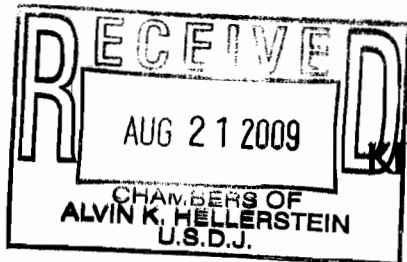


Exhibit D

to

Declaration of Dale M. Cendali



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August 21, 2009

*Jo [unclear]
8/24/09
[Signature]*

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' July 22, 2009 letter to the Court requesting additional time to complete fact discovery inadvertently omitted a request to also extend the deadline to amend the pleadings or join additional parties. As that deadline was set for today, one week after the original close of fact discovery, The AP respectfully requests that the Court extend the deadline to amend or join parties to October 30, 2009, which is one week after the new date for the close of fact discovery ordered by Your Honor on July 22nd.

The AP has contacted counsel for Shepard Fairey et al. and Mannie Garcia regarding this request, but have not yet received a response from either party. As such, it is unclear whether they will join the Associated Press in seeking this extension.

Sincerely,
Claudia Ray (BJB)
Claudia Ray
Counsel for The Associated Press

Cc: Anthony Falzone (counsel for Shepard Fairey et al., by e-mail)
George Carpinello (counsel for Mannie Garcia, by e-mail)