

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

WILLIAM S. WALDO (SB# 073973)  
williamwaldo@paulhastings.com  
MOLLY J. MITCHELL (SB# 254902)  
mollymitchell@paulhastings.com  
PAUL, HASTINGS, JANOFSKY & WALKER LLP  
515 South Flower Street  
Twenty-Fifth Floor  
Los Angeles, CA 90071-2228  
Telephone: (213) 683-6000  
Facsimile: (213) 627-0705

Attorneys for Defendants  
AMERICAN CAPITAL STRATEGIES, LTD. and  
BRENDAN H. GALLAHER

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MARIUSZ MAZUREK,  
  
Plaintiff,  
  
vs.  
  
AMERICAN CAPITAL  
STRATEGIES, LTD., a Delaware  
corporation; BRENDAN H.  
GALLAHER, and DOES 1-100,  
  
Defendant.

CASE NO. CV 08-3816 ODW(JCx)

**PROOF OF PERSONAL SERVICE  
OF DEFENDANTS' NOTICE OF  
MOTION AND MOTION TO  
STRIKE OR DISMISS  
PLAINTIFF'S FIRST AMENDED  
COMPLAINT; AND NOTICE OF  
LODGING OF [PROPOSED]  
ORDER**

Date: July 14, 2008  
Time: 1:30 p.m.  
Courtroom: 11

The Honorable Otis D. Wright II

**PROOF OF SERVICE**

STATE OF CALIFORNIA  
CITY OF LOS ANGELES AND COUNTY OF  
LOS ANGELES } ss:

I am employed in the City of Los Angeles and County of Los Angeles, State of California. I am over the age of 18, and not a party to the within action. My business address is 316 W. Second Street, Suite 705, Los Angeles, CA 90012.

On June 23, 2008, I served the foregoing document(s) described as:

**DEFENDANTS' NOTICE OF MOTION AND MOTION TO STRIKE OR DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT FOR DAMAGES PURSUANT TO RULES 15, 12(b)(6) AND/OR 12(c) OF THE FEDERAL RULES OF CIVIL PROCEDURE; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF; DECLARATION OF WILLIAM S. WALDO**

on the interested parties by placing a true and correct copy thereof in a sealed envelope(s) addressed as follows:

Travis M. Gemoets, Esq.  
Jeffer, Mangels, Butler & Marmaro LLP  
1900 Avenue of the Stars, 7th Floor  
Los Angeles, CA 90067-4308

**VIA U.S. MAIL:**

I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice such sealed envelope(s) would be deposited with the U.S. postal service on June 23, 2008 with postage thereon fully prepaid, at Los Angeles, California.

**VIA PERSONAL DELIVERY:**

I personally delivered such sealed envelope(s) by hand to the offices of the addressee(s) pursuant to CCP § 1011.


**VIA FACSIMILE:**

The facsimile transmission report indicated that the transmission was complete and without error. The facsimile was transmitted to Facsimile # \_\_\_\_\_ on June 23, 2008 at \_\_\_\_\_. A copy of that report, which was properly issued by the transmitting machine, is attached hereto. [Permitted by written agreement of the parties.]

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 23, 2008, at Los Angeles, California

PHAI ROH PHONKHANA  
Name

  
Signature

**PROOF OF SERVICE**

STATE OF CALIFORNIA  
CITY OF LOS ANGELES AND COUNTY OF  
LOS ANGELES } ss:

I am employed in the City of Los Angeles and County of Los Angeles, State of California. I am over the age of 18, and not a party to the within action. My business address is 316 W. Second Street, Suite 705, Los Angeles, CA 90012.

On June 23, 2008, I served the foregoing document(s) described as:

**NOTICE OF LODGING OF [PROPOSED] ORDER GRANTING DEFENDANTS' MOTION TO STRIKE PLAINTIFF'S FIRST AMENDED COMPLAINT**

on the interested parties by placing a true and correct copy thereof in a sealed envelope(s) addressed as follows:

Travis M. Gemoets, Esq.  
Jeffer, Mangels, Butler & Marmaro LLP  
1900 Avenue of the Stars, 7th Floor  
Los Angeles, CA 90067-4308

**VIA U.S. MAIL:**

I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice such sealed envelope(s) would be deposited with the U.S. postal service on June 23, 2008 with postage thereon fully prepaid, at Los Angeles, California.

**VIA PERSONAL DELIVERY:**

I personally delivered such sealed envelope(s) by hand to the offices of the addressee(s) pursuant to CCP § 1011.

**VIA FACSIMILE:**

The facsimile transmission report indicated that the transmission was complete and without error. The facsimile was transmitted to Facsimile # \_\_\_\_\_ on June 23, 2008 at \_\_\_\_\_. A copy of that report, which was properly issued by the transmitting machine, is attached hereto. **[Permitted by written agreement of the parties.]**

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 23, 2008, at Los Angeles, California.

PHAIROH PHONKHANA  
Name

  
Signature