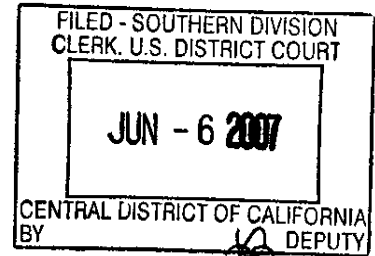
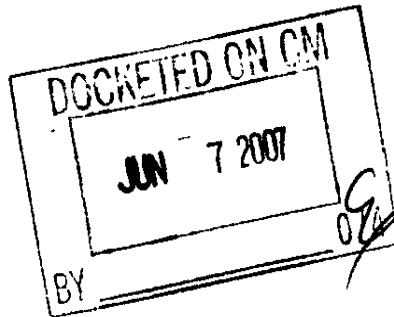


ORIGINAL



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT
SOUTHERN DIVISION

Priority
Send

CKE RESTAURANTS, INC., a
Delaware Corporation, CARL
KARCHER ENTERPRISES, INC., a
California Corporation, and
HARDEE'S FOOD SYSTEMS, INC.,
a North Carolina Corporation,

Plaintiffs,

v.

JACK IN THE BOX, INC, a Delaware
Corporation,

Defendant.

No. SACV 07-603 AG (JTLx)

Hon. Andrew Guilford

**~~PROPOSED~~ ORDER GRANTING
DEFENDANT JACK IN THE BOX
INC.'S Ex Parte APPLICATION FOR
ORDER TO DEEM OPPOSITION TO
PLAINTIFFS' MOTION FOR
PRIMINARY INJUNCTION AS
TIMELY FILED**

[Filed Concurrently with Ex Parte
Application For Order To Deem
Opposition To Plaintiff's Motion for
Preliminary Injunction Timely Filed]

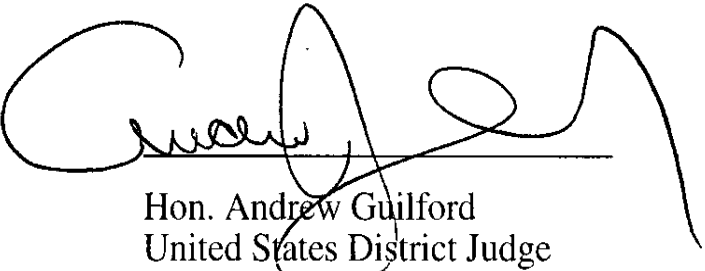
[Opposition to Preliminary Injunction
Motion, Objections to Plaintiffs'
Evidence, and [Proposed] Order Re
Preliminary Injunction Motion lodged
herewith]

This Court has duly read and considered Jack in the Box Inc.'s Ex
Parte Application For Order To Deem Opposition To Plaintiffs' Motion For

1 Preliminary Injunction As Timely Filed, the supporting Memorandum of Points and
2 Authorities, supporting Declarations of Becky J. Belke and Ceasar Sosa, and
3 Exhibits thereto, and for good cause shown,

4 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Jack
5 in the Box Inc.'s Opposition to Plaintiffs' Motion For Preliminary Injunction,
6 Objections To Plaintiffs' Evidence, and [Proposed] Order Denying Motion For
7 Preliminary Injunction, be deemed timely filed.

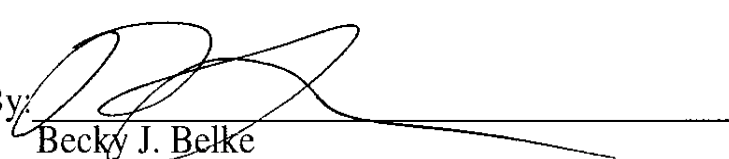
8
9 DATED: JUNE 6, 2007


Hon. Andrew Guilford
United States District Judge

10
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13
14 Respectfully Submitted,

15
16 Dated: June 5, 2007

17 MANATT, PHELPS & PHILLIPS, LLP
18 Kathrin A. Wanner
19 Becky J. Belke

20 By: 
21 Becky J. Belke
22 Attorneys for Defendant
23 JACK IN THE BOX INC.
24
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26
27
28

PROOF OF SERVICE

I, JUDY FEINGOLD, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 11355 West Olympic Boulevard, Los Angeles, California 90064-1614. On June 5, 2007, I caused to be served a copy of the within document(s):

[PROPOSED] ORDER GRANTING DEFENDANT JACK IN THE BOX INC.'S *Ex Parte* APPLICATION FOR ORDER TO DEEM OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AS TIMELY FILED

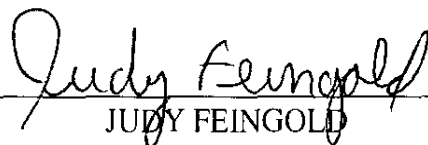
- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.
- ☐ by placing the document(s) listed above in a sealed **FEDERAL EXPRESS** envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a **FEDERAL EXPRESS** agent for delivery.
- ☒ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

Jan P. Weir, Esq.
Jennifer A. Trusso, Esq.
STRADLING YOCCA CARLSON & RAUTH
600 Newport Center Drive, Suite 1600
Newport Beach, CA 92660

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on June 5, 2007, at Los Angeles, California.


JUDY FEINGOLD