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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

12 MATTHEW ELVEY, an individual, and
 13 GADGETWIZ, INC., an Arizona
 corporation, on their own behalf and on
 14 behalf of all others similarly situated,

15 Plaintiffs

16 v.

17 TD AMERITRADE, INC., a New York
 corporation, and DOES 1 to 100,

18 Defendants.
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Case No. C-07-2852 MJJ

**SUPPLEMENTAL DECLARATION OF
 LEE H. RUBIN IN SUPPORT OF
 DEFENDANT TD AMERITRADE INC.’S
 REPLY TO ITS MOTION FOR
 EXTENSION OF TIME TO FILE
 OPPOSITION TO PLAINTIFFS’
 MOTION FOR PRELIMINARY
 INJUNCTION AND MOTION FOR
 CLASS CERTIFICATION**

Hon. Martin J. Jenkins

Date: September 18, 2007
 Time: 9:30 a.m.
 Location: Courtroom 11, 19th Floor
 450 Golden Gate Ave.
 San Francisco, CA 94102

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