| 1 | currently set for November 4, 2009 is continued to |
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| 2 | Department C of this Court. The parties are to file an update Case Management Conference |
| 3 | Statement one week prior to the continued CMC date. |
| 4 | TES DISTRICT |
| 5 | Dated: November 2, 2009 |
| 6 | Dated: November 2, 2009 Honorable Fit ORDERED |
| 7 | Honor ble E. Utiled IT IS SO ORDERED |
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| 9 | Judge Edward M. Chen |
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| 11 | PERN DISTRICT OF CENT |
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1 PROOF OF SERVICE 2 I, Cindy A. Barragan, declare as follows: 3 I am employed in the County of Orange, State of California. I am over the age 4 of eighteen (18) and not a party to the within action. My business address is 4665 5 MacArthur Court, Suite 280, Newport Beach, California 92660. 6 On October 29, 2009, I served the foregoing document described as **ORDER** 7 CONTINUING CASE MANAGEMENT CONFERENCE on all interested parties 8 in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows: 9 10 SEE SERVICE LIST 11 [X] (BY MAIL) I caused such envelope with postage thereon fully prepaid to be 12 placed in the United States mail at Newport Beach, California. I am readily familiar with the firm's business practice for collection and processing of 13 correspondence for mailing with the U.S. Postal Service pursuant to which 14 practice the correspondence is deposited with the U.S. Postal Service the same 15 day in the ordinary course of business. 16 [X](BY ELCTRONIC SERVICE) Pursuant to CM/ECF System, registration as a 17 CM/ECF user constitutes consent to electronic service through the Court's transmission facilities. The Court's CM/ECF systems sends an e-mail 18 notification of the filing to the parties and counsel of record listed above who 19 are registered with the Court's EC/ECF system. 20 (FEDERAL) I declare that I am employed in the office of a member of the bar [X]21 of this court at whose direction the service was made. 22 I declare under penalty of perjury under the laws of the United States of 23 America that the foregoing is true and correct. 24 Executed on October 29, 2009, at Newport Beach, California. 25 26 Cindy A. Bafraga 27

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SERVICE LIST Thomas John Spielbauer, Esq. The Spielbauer Law Firm 1250 Oakmead Parkway Suite 210 Sunnyvale, California 94085 408-451- 8499; Fax: 610-423-1395 Attorneys for Ruthie B. Hillery and Spielbauer Law Firm

PROOF OF SERVICE