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 10 csabnis@kslaw.com

11 Attorneys for Defendants
 12 SMITHKLINE BEACHAM CORPORATION
 13 D/B/A GLAXOSMITHKLINE, GLAXOSMITHKLINE
 14 CONSUMER HEALTHCARE, L.P., GLAXOSMITHKLINE
 15 CONSUMER HEALTHCARE L.L.C., and
 16 BLOCK DRUG COMPANY, INC.

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN FRANCISCO DIVISION

20 ROLAND MOURNING, SR.,
 21 For himself and on behalf of those
 22 Similarly situated,

23 Plaintiff,

24 v.

25 SMITHKLINE BEECHAM CORPORATION
 26 dba GLAXOSMITHKLINE,
 27 GLAXOSMITHKLINE CONSUMER
 28 HEALTHCARE L.L.C.,
 GLAXOSMITHKLINE CONSUMER
 HEALTHCARE L.P., BLOCK DRUG
 COMPANY, INC.

Defendants.

Case No. CV-08-4929-WHA

**NOTICE OF SUBSTITUTION OF
 COUNSEL AND ~~PROPOSED~~ ORDER
 APPROVING SUBSTITUTION**

1 TO THE COURT AND PLAINTIFF AND HIS ATTORNEYS OF RECORD:

2 Please take notice that defendants SMITHKLINE BEECHAM CORPORATION D/B/A
3 GLAXOSMITHKLINE, GLAXOSMITHKLINE CONSUMER HEALTHCARE, L.L.C.,
4 GLAXOSMITHKLINE CONSUMER HEALTHCARE, L.P., and BLOCK DRUG COMPANY,
5 INC. (collectively "Defendants") hereby substitute Donald F. Zimmer, Jr. and Cheryl A. Sabnis,
6 of the law firm of King & Spalding LLP as attorney of record in the place and stead of Gary T.
7 Lafayette and Joanne Chan of the law firm of Lafayette & Kumagai LLP, 100 Spear Street, Suite
8 600, San Francisco, CA 94105.

9 Copies of all further notices, papers, pleadings, and orders filed or served upon Defendants
10 should be sent to the undersigned at:

11 Donald F. Zimmer, Jr.
12 Cheryl A. Sabnis
13 KING & SPALDING LLP
14 Four Embarcadero Center
15 Suite 3500
16 San Francisco, CA 94111
17 Telephone: (415) 318-1200
18 Facsimile: (415) 318-1300
19 fzimmer@kslaw.com
20 csabnis@kslaw.com

21 Defendants have been given proper notice pursuant to Civil Local rule 11-5 and further
22 consent to the above substitution.

23 Dated: December 30, 2008

24 SMITHKLINE BEACHAM CORPORATION
25 D/B/A GLAXOSMITHKLINE,
26 GLAXOSMITHKLINE
27 CONSUMER HEALTHCARE, L.P.,
28 GLAXOSMITHKLINE
CONSUMER HEALTHCARE L.L.C., and
BLOCK DRUG COMPANY, INC.

/s/ Ellen Hudock /s/
Ellen Hudock
Senior Counsel

1 I have given proper notice pursuant to Civil Local rule 11-5 and further consent to the
2 above substitution.

3
4 Dated: December 30, 2008

LAFAYETTE & KUMAGAI LLP

5 /s/ Gary T. Lafayette /s/
6 Gary T. Lafayette
7 Joanne Chan

8
9 The undersigned hereby consent to this substitution and represent that they have been
10 duly admitted to practice in this District.

11 Dated: December 30, 2008

KING & SPALDING LLP

12
13 /s/ Donald F. Zimmer, Jr. /s/
14 Donald F. Zimmer, Jr.
15 Cheryl A. Sabnis

16 Attorneys for Defendants
17 SMITHKLINE BEACHAM CORPORATION
18 D/B/A GLAXOSMITHKLINE,
19 GLAXOSMITHKLINE
20 CONSUMER HEALTHCARE, L.P.,
21 GLAXOSMITHKLINE
22 CONSUMER HEALTHCARE L.L.C., and
23 BLOCK DRUG COMPANY, INC.

24 I hereby certify that Ellen Hudock, Gary T. Lafayette and Donald F. Zimmer, Jr., concur
25 in the e-filing of this document.

26 Dated: December 30, 2008

27 /s/ Cheryl A. Sabnis /s/
28 Cheryl A. Sabnis

1 The Court hereby approves the substitution of Donald F. Zimmer, Jr., and Cheryl A.
2 Sabnis of the law firm of King & Spalding LLP as counsel for Defendants in the place and stead
3 of Gary T. Lafayette and Joanne Chan of the law firm of Lafayette & Kumagai LLP, 100 Spear
4 Street, Suite 600, San Francisco, CA 94105.

5 Copies of all further notices, papers, pleadings, and orders filed or served upon Defendants
6 should be sent to:

7 Donald F. Zimmer, Jr.
8 Cheryl A. Sabnis
9 KING & SPALDING LLP
10 Four Embarcadero Center
11 Suite 3500
12 San Francisco, CA 94111
13 Telephone: (415) 318-1200
14 Facsimile: (415) 318-1300
15 fzimmer@kslaw.com
16 csabnis@kslaw.com

17 It is so ordered.

18 Dated: December 31, 2008

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Hon. William Alsup
Judge of District Court

