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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
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 12 MIXT GREENS, a California corporation,)
 13 Plaintiff,)
 14)
 15 vs.)
 16)
 17 SPROUT CAFÉ, an entity of unknown)
 origin,)
 18 Defendant.)
 _____)

CASE NO. CV 08 5175 EMC

**NOTICE OF SUBSTITUTION OF
 COUNSEL FOR PLAINTIFF MIXT
 GREENS; AND [PROPOSED]
 ORDER**

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that Plaintiff Mixt Greens, a California corporation,
3 hereby substitutes new counsel in place and instead of its former counsel, Gary J.
4 Nemer and Richard C. Darwin, Buchalter Nemer, A Professional Corporation, as
5 follows:

6 **New Legal Representative:**

7 Jeffrey H. Lowenthal (jlowenthal@steyerlaw.com)
8 Edward Egan Smith (esmith@steyerlaw.com)
9 Steyer Lowenthal Boodrookas Alvarez & Smith LLP
10 One California Street, Third Floor
11 San Francisco, CA 94111
12 Tel: (415) 421-3400
13 Fax: (415) 421-2234

14 IT IS SO STIPULATED:

15 Dated: November 5, 2009 MIXT GREENS, a California corporation

16 By: /s/ Michael Gats
17 Its: CFO

18 **I consent to this substitution:**

19 Dated: November 5, 2009 BUCHALTER NEMER
20 A Professional Corporation

21 By: /s/ Richard C. Darwin
22 Gary J. Nemer
23 Richard C. Darwin

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1 **I accept this substitution:**

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3 Dated: November 5, 2009

STEYER LOWENTHAL BOODROOKAS
ALVAREZ & SMITH LLP

4 I represent that concurrence in the
5 filing of this document has been
6 obtained from each of the other
7 signatories, which shall serve in lieu
8 of their signatures on this document.

By: /s/ Edward Egan Smith
Jeffrey H. Lowenthal
Edward Egan Smith
Attorneys for Plaintiff Mixt Greens

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10 Pursuant to the above stipulation, IT IS HEREBY ORDERED THAT the forgoing
11 substitution is approved.

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14 Dated: November 9, 2009

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