

1 NEAL S. MANNE (94101)
 RICHARD W. HESS (*pro hac vice*)
 2 SUSMAN GODFREY L.L.P.
 1000 Louisiana, Suite 5100
 3 Houston, Texas 77002
 Telephone: (713) 651-9366
 4 Facsimile: (713) 654-6666
 nmanne@susmangodfrey.com
 rhess@susmangodfrey.com
 5

6 MARC SELTZER (54534)
 STEPHEN E. MORRISSEY (187865)
 7 KATHRYN P. HOEK (219247)
 SUSMAN GODFREY L.L.P.
 8 1901 Avenue of the Stars, Suite 950
 Los Angeles, CA 90067
 9 Telephone: (310) 789-3100
 Facsimile: (310) 789-3150
 10 mseltzer@susmangodfrey.com
 smorrissey@susmangodfrey.com
 11

Attorneys for Defendant Walmart.com USA LLC

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 OSCAR MACIAS, on behalf of himself and others)	Civil Action No. CV-09-00961-JCS
similarly situated,)	
)	PROOF OF SERVICE
16 Plaintiff,)	
)	
17 v.)	
)	
18 NETFLIX, INC., and WALMART.COM USA LLC,)	
)	
19 Defendants.)	
)	
)	

22 **PROOF OF SERVICE**

23 I, the undersigned, declare:

24 I am employed in the County of King, State of Washington. I am over the age of 18 and
 25 not a party to the within action; my business address is 1201 Third Avenue, Suite 3800, Seattle,
 26 WA 98101.

27 On March 12, 2009, I used the Northern District of California's Electronic Filing System
 28 with the ECF registered to Kathryn P. Hoek to file the following document(s):

1 **1. ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES**
2 **SHOULD BE RELATED**

3 **2. DECLARATION OF KATHRYN P. HOEK IN SUPPORT OF**
4 **ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES**
5 **SHOULD BE RELATED, WITH EXHIBITS**

6 **3. PROPOSED ORDER**

7 The ECF System is designed to send an e-mail message to all parties in the case, which
8 constitutes service. According to the ECF/PACER system, for this case, the parties served are as
9 follows:

10 Thomas Ferlauto	tmf@kingferlauto.com
11 Jonathan M. Jacobson	jjacobson@wsgr.com
12 Keith E. Eggleton	keggleton@wsgr.com
13 Sara C. Walsh	sciarelli@wsgr.com
14 Scott A. Sher	ssher@wsgr.com

15 On this date I also served the below related parties via the method stated:

16 **XX BY ELECTRONIC MAIL:**

17 I caused said documents to be prepared in portable document format (PDF) for e-mailing and
18 served by electronic mail as indicated on the parties listed below.

19 Executed on March 12, 2009, at Seattle, Washington.

20 Emily L. Maxwell	Maxwelle@howrey.com
21 Paul Alexander	alexanderp@howrey.com
22 Peter A. Barile, III	BarileP@howrey.com
23 Robert G. Abrams	AbramsR@howrey.com
24 Thomas A. Isaacson	IsaacsonT@howrey.com
25 Alex C. Turan	alexaturan@yahoo.com
26 Melissa C. Shapiro	mshapiro@saveri.com
27 Harry Shulman	harry@millslawfirm.com
28 Linda M. Fong	lfong@kaplanfox.com
29 Michele C. Jackson	mjackson@lchb.com
30 Christopher T. Heffelfinger	cheffelfinger@bermandevalerio.com
31 Lori S. Brody	lbrody@kaplanfox.com
32 Jeff D. Friedman	jefff@hbsslaw.com
33 David W. Mitchell	davidm@csgrr.com
34 Jill S. Abrams	jabrams@abbeygardy.com
35 Judith L. Spanier	jspanier@abbeyspanier.com
36 Brian Brooks	bbrooks@murrayfrank.com
37 Eugene A. Spector	espector@srkw-law.com
38 Jay S. Cohen	jcohen@srkw-law.com
39 Jeffrey J. Corrigan	jcorrigan@srkw-law.com
40 Jonathan M. Jagher	Jjagher@srkw-law.com
41 Lee Albert	lalbert@murrayfrank.com
42 Paul Alexander	alexanderp@howrey.com

1	Theodore M. Lieverman	tlieverman@srkw-law.com
	Erica L. Craven-Green	elc@lrolaw.com
2	Michael F. Ram	mfr@lrolaw.com
	Guy A. Wilson	guywlaw@aol.com
3	Robert C. Schubert	rschubert@schubertlawfirm.com
	Roy A. Katriel	rak@katriellaw.com
4	Willem F. Jonckheer	wjonckheer@schubert-reed.com
	Cadio R. Zirpoli	zirpoli@saveri.com
5	Guido Saveri	guido@saveri.com
	R. Alexander Saveri	rick@saveri.com
6	Laurence D. King	lking@kaplanfox.com
	Linda P. Nussbaum	lnussbaum@kaplanfox.com
7	Marc H. Edelson	medelson@edelson-law.com
	Gordon M. Fauth, Jr.	gmf@classlitigation.com
8	Mark Punzalan	mpunzalan@finkelsteinthompson.com
	Michael G. McLellan	mmclellan@finkelsteinthompson.com
9	Richard M. Volin	rvolin@finkelsteinthompson.com
	Rosemary M. Rivas	rrivas@finkelsteinthompson.com
10	Edward F. Haber	ehaber@shulaw.com
	Jaquelynn C. Pope	majaq@aol.com
11	Mark D. Warshaw	majaq@aol.com
	David Pastor	dpastor@gilmanpastor.com
12	Gerald J. Rodos	grodos@barrack.com
	Jeffrey B. Gittleman	jgittleman@barrack.com
13	Julie B. Palley	jpalley@barrack.com
	Frank J. Johnson	frankj@johnsonbottini.com
14	Francis A. Bottini, Jr.	frankb@johnsonbottini.com
	Anthony J. Bolognese	ABolognese@bolognese-law.com
15	Joshua H. Grabar	JGrabar@bolognese-law.com
	Andrew S. Kingsdale	akingsdale@lchb.com
16	Eric B. Fastiff	efastiff@lchb.com
	Joseph R. Saveri	jsaveri@lchb.com
17	Bruce L. Simon	bsimon@psswplaw.com
	Jonathan M. Watkins	jwatkins@psswplaw.com
18	Kenneth A. Wexler	kaw@wtwlaw.us
	Mark J. Tamblyn	mjt@wexlerwallace.com
19	Neha Duggal	nd@wexlerwallace.com
	Joseph J. Tabacco, Jr.	jtabacco@bermandevalerio.com
20	Mindee J. Reuben	Weinstein@wka-law.com
	Bonny E. Sweeney	bonnys@csgrr.com
21	Daniel N. Gallucci	dgallucci@rodanast.com
	Joseph R. Roda	jroda@rodanast.com
22	Michele S. Burkholder	mburkholder@rodanast.com
	Garrett D. Blanchfield, Jr.	g.blanchfield@rwblawfirm.com
23	Donna F. Solen	dsolen@masonlawdc.com
	Gary E. Mason	gmason@masonlawdc.com
24	Benjamin D. Brown	bbrown@cohenmilstein.com
	Daniel A. Small	dsmall@cohenmilstein.com
25	David F. Sorensen	dsorensen@bm.net
	H. Laddie Montague, Jr.	hlmontague@bm.net
26	Kendall S. Zylstra	Kzylstra@faruqilaw.com
	Merrill G. Davidoff	mdavidoff@bm.net
27	Peter R. Kohn	pkohn@bm.net
	Vahn Alexander	valexander@faruqilaw.com
28	Bryan L. Clobes	bclobes@caffertyfaucher.com

1 Daniel C. Girard dcg@girardgibbs.com
2 Elizabeth C. Pritzker ecp@girardgibbs.com
3 Ellen Meriwether emeriwether@caffertyfaucher.com
4 Nyran R. Pearson npearson@caffertyfaucher.com
5 Timothy Fraser tfraser@caffertyfaucher.com
6 Richard D. Schwartz Rschwartz@faruqilaw.com
7 Kevin B. Love klove@crindenlove.com
8 Michael E. Criden mcriden@crindenlove.com
9 Craig H. Blinderman cblinderman@mrejenlaw.com
10 Thomas M. Ferlauto tmf@kingferlauto.com

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

17 BY PERSONAL SERVICE:
18 I caused to be delivered such envelope by hand to the offices of the addressee.

19 BY FEDERAL EXPRESS OR OVERNIGHT COURIER

20 BY TELECOPIER
21 I served by facsimile as indicated on the attached service list.

22 (State) I declare under penalty of perjury under the laws of the State of Washington that
23 the above is true and correct.

24 XX (Federal) I declare that I am employed in the office of a member of the Bar of this Court
25 at whose direction the service was made.

26
27
28
29 Tammie DeNio _____ Tammie DeNio _____
30 (Type or Print Name) (Signature)