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ALMO MUSIC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

TOMMY DUNBAR and JAMES
GANGWER,

Plaintiffs,

v.

LUCASZ GOTTWALD (aka Dr. Luke),
AVRIL LAVIGNE, KASZ MONEY
PUBLISHING, AVRIL LAVIGNE
PUBLISHING LLC, ALMO MUSIC
CORP., RCA RECORDS, and APPLE,
INC.,

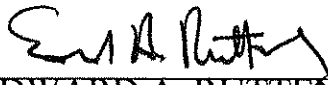
Defendants.

CASE NO.: C 07-2758 WDB

**DECLINATION TO PROCEED
BEFORE A MAGISTRATE JUDGE
AND REQUEST FOR ASSIGNMENT
TO A UNITED STATES DISTRICT
JUDGE**

1 The undersigned parties hereby decline to consent to the assignment of this case
2 to a United States Magistrate Judge for trial and disposition and hereby request the
3 reassignment of this case to a United States District Judge.
4

5
6 DATED: August 15, 2007


EDWARD A. RUTTENBERG
LEOPOLD, PETRICH & SMITH, P.C.
Attorneys for Defendants
AVRIL LAVIGNE, AVRIL LAVIGNE
PUBLISHING LLC AND RONDOR MUSIC
INTERNATIONAL, INC. D/B/A ALMO
MUSIC

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is **2049 Century Park East, Suite 3110, Los Angeles, California 90067-3274.**

On August 15, 2007, I served the foregoing document described as **DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR ASSIGNMENT TO A UNITED STATES DISTRICT JUDGE** on the interested parties in this action.

by placing the original thereof enclosed in (a) sealed envelope(s), addressed as follows:

SEE ATTACHED SERVICE LIST

BY REGULAR MAIL: I deposited such envelope in the mail at 2049 Century Park East, Suite 3110, Los Angeles, California 90067-3274. The envelope was mailed with postage thereon fully prepaid.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

BY FACSIMILE MACHINE: I transmitted a true copy of said document(s) by facsimile machine, and no error was reported. Said fax transmission(s) were directed as indicated on the service list.

BY OVERNIGHT MAIL: I deposited such documents at the Federal Express Drop Box located at 2049 Century Park East, Suite 3110, Los Angeles, California 90067-3274. The envelope was deposited with delivery fees thereon fully prepaid.

BY PERSONAL SERVICE: I caused such envelope(s) to be delivered by hand to the above addressee(s).

(State) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(Federal) I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 15, 2007, at Los Angeles, California.

/s/ Kathryn Toyama

SERVICE LIST

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