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10 Attorneys For: Defendant  
11 ST. PAUL MERCURY INSURANCE COMPANY

12 UNITED STATES DISTRICT COURT  
13  
14 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

15 NETSCAPE COMMUNICATIONS ) CASE NO. C-06-00198 JW (PVT)  
16 CORPORATION, a Delaware corporation; and )  
17 AMERICA ONLINE, INC., a Delaware ) [Santa Clara County Superior Court  
18 corporation; ) Case No. 105CV054312]

19 Plaintiffs, )

20 v. )

21 FEDERAL INSURANCE COMPANY, an )  
22 Indiana corporation; NATIONAL UNION )  
23 FIRE INSURANCE COMPANY OF )  
24 PITTSBURGH, P.A., a Pennsylvania )  
25 corporation; ST. PAUL MERCURY )  
26 INSURANCE COMPANY, a Minnesota )  
27 corporation; EXECUTIVE COMPANY; a )  
28 Connecticut corporation, and DOES 1 through )  
50, )

**CERTIFICATE OF SERVICE OF  
NOTICE TO ADVERSE PARTY OF  
REMOVAL TO FEDERAL COURT**

Defendants. )

I, Hector Pazos, certify and declare as follows:

1. I am over the age of 18 years and not a party to this action.

2. My business address is Gordon & Rees LLP, 275 Battery Street, 20<sup>th</sup> Floor, San Francisco, California 94111, which is located in the city, county and state where the mailing described below took place.

3. On January 12, 2006, I served the following documents by placing a true copy thereof enclosed in a sealed envelope, at a station designated for collection and processing of

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1 envelopes and packages for delivery by United States mail and overnight delivery by FedEx as  
2 part of the ordinary business practices of Gordon & Rees LLP described below:

- 3 a. Notice to Adverse Party of Removal to Federal Court dated January 11,  
4 2006;
- 5 b. Order Setting Initial Case Management Conference;
- 6 c. Handbook entitled "Dispute Resolution Procedures in the Northern  
7 District of California";
- 8 d. Notice of Availability of Magistrate Judge to Exercise Jurisdiction;
- 9 e. U.S. District Court Northern California ECF Registration Information  
10 Handout;
- 11 f. Office of the Clerk, U.S. District Court Northern California, San Jose  
12 Division, Guidelines in addition to local rules;
- 13 g. Blank Joint Case Management Statement and Proposed Order;
- 14 h. General Order No. 40 – Prohibition of Bias;
- 15 i. Notice of Electronic Availability of Case File Information;
- 16 j. Consent to Proceed Before a United States Magistrate Judge;
- 17 k. Declination to Proceed Before a Magistrate Judge and Request for  
18 Reassignment to a United States District Judge;
- 19 l. Instructions for Completion of ADR Forms Regarding Selection of an  
20 ADR Process; and
- 21 m. Blank Stipulation and [Proposed] Order Selecting ADR Process.

22 The documents were addressed to:

23  
24 Michael Bruce Abelson, Esq.  
25 ABELSON HERRON LLP  
26 333 South Grand Avenue, Suite 650  
27 Los Angeles, California 90071-1559  
28 (213) 402-1900

Daniel J. Bergeson, Esq.  
BERGESON, LLP  
303 Almaden Blvd., Suite 500  
San Jose, California 95110-2712  
(408) 297-6000

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid 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 day after the date of deposit for mailing in affidavit.

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

Executed on January 25, 2006, at San Francisco, California.

/s/ Hector Pazos

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Hector Pazos

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