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PROOF OF SERVICE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

Netscape Communications Corporation, et al. v. Federal Insurance Company, et al.

USDC Case No.: C-06-00198 JW (PVT)

I am over the age of 18 and not a party to the within action; I am employed by Abelson | Herron, LLP in the County of Los Angeles at 333 South Grand Avenue, Suite 650, Los Angeles, California, 90071-1559.

On September 29, 2006, I served the foregoing documents described as:

**PLAINTIFFS' NOTICE OF MOTION AND MOTION TO COMPEL
PRODUCTION OF DOCUMENTS AND TESTIMONY; MEMORANDUM OF
LAW IN SUPPORT THEREOF**

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION TO COMPEL
PRODUCTION OF DOCUMENTS AND TESTIMONY**

The document was served by the following means:

- × **BY U.S. MAIL** I enclosed the documents in a sealed envelope addressed to the person at the address listed below and placed the sealed envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the said date, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
- × **BY E-MAIL OR ELECTRONIC TRANSMISSION** Based on an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person at the e-mail address listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Sara M. Thorpe, Esq.
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San Francisco, CA 94111

Attorney for Defendant
ST. PAUL MERCURY INSURANCE COMPANY

E-mail: sthorpe@gordonrees.com

I declare under penalty of perjury under the laws of United States of America that the foregoing is true and correct.

Executed on September 29, 2006 at Los Angeles, California


Michael B. Abelson