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PROOF OF SERVICE

CASE NAME: *Leonard v. The College Network, Inc.*
COURT INFORMATION: United States District Court, Northern District Of California,
San Jose Division, Case No. C-04-00836 RMW

I, the undersigned, hereby certify that I am a citizen of the United States, over the age of 18 years, and am not a party to the within action. I am employed in the City and County of San Francisco, California, and my business address is 180 Montgomery Street, Suite 1240, San Francisco, California 94104-4230. I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service. On the date listed below, following ordinary business practice, I served the following document(s):

- **MOTION IN LIMINE NO. 2: DECLARATION OF SHARON BIRD IN SUPPORT OF DEFENDANT’S MOTION IN LIMINE TO BAR PLAINTIFF’S “REPRESENTATIVE” CLAIM UNDER BUSINESS & PROFESSIONS CODE § 17200**

on the party(ies) in this action, through his/her/their attorneys of record, by placing true and correct copies thereof in sealed envelope(s), addressed as shown on the attached Service List for service as designated below:

Carl A. Lindstrom, Jr.
653 N. San Pedro St.
San Jose, CA 95110

- (By First Class Mail) I placed, on the date shown below, at my place of business, a true copy thereof, enclosed in a sealed envelope, with postage fully pre-paid, for collection and mailing with the United States Postal Service.
- (via E-file) I filed an electronic copy of these pleadings with the Court.
- (Federal) I declare (certify, verify or state) under penalty of perjury under the laws of the State of California and of the United States that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose direction the service was made. Executed on January 4, 2005, at San Francisco, California.

/s/ Michael McIntosh
Michael McIntosh

OTIS, CANLI & DUCKWORTH LLP
180 Montgomery Street
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