

EXHIBIT 8

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ORIGINAL
FILED
NOV 05 2003
RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

6 Attorneys for Plaintiff
EXCELLIGENCE LEARNING CORPORATION,

7 UNITED STATES DISTRICT COURT
8
9 NORTHERN DISTRICT OF CALIFORNIA
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11 SAN JOSE DIVISION

11 EXCELLIGENCE LEARNING
12 CORPORATION,

13 Plaintiff,

14 vs.

15 ORIENTAL TRADING COMPANY,
16 INC. AND TERESA MARTINI,

17 Defendants.

Case No: 03-04947 RS
COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF FOR
MISAPPROPRIATION OF TRADE
SECRETS; UNFAIR COMPETITION
UNDER 15 U.S.C. §1125(a);
TRADEMARK INFRINGEMENT;
AND VIOLATIONS OF BUSINESS &
PROFESSIONAL CODE, §§17500 *et*
seq. and 17200 *et seq.*

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19 The plaintiff, Excelligence Learning Corporation, complains and alleges as
20 follows:

21 **PARTIES**

- 22 1. The plaintiff, Excelligence Learning Corporation ("Excelligence"), is a
23 corporation doing business at 2 Lower Ragsdale Drive, Monterey, California.
24 2. Defendant, Oriental Trading Company, Inc. ("Oriental Trading"), upon
25 information and belief, is a corporation doing business at 4205 South 108th Street,
26 Omaha, Nebraska.

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