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7 Attorneys for Defendant
 8 MENU FOODS HOLDING, INC.

9 UNITED STATES DISTRICT COURT
 10 SOUTHERN DISTRICT OF CALIFORNIA

11 DIANE SWARBERG, individuall and on
 12 behalf of all others similarly situated,

13 Plaintiffs,

14 v.

15 MENO FOODS HOLDING, INC., THE
 16 JAMS COMPANY, and DOES 1 through
 17 100, inclusive,

18 Defendants.

CASE NO. 07 CV 0706 BTM (POR)

PROOF OF SERVICE BY MAIL

TRIAL DATE: No Date Set

19 I, the undersigned, declare:

20 I am a resident of the State of California and over the age of eighteen years, and not a
 21 party to the within action; my business address is 401 West "A" Street, Suite 2600, San Diego,
 22 California 92101. On April 20, 2007, I served the within documents:

23 **NOTICE OF RELATED CASES, PURSUANT TO LOCAL RULE 40.1(e)**

24 on the interested parties in this action, by placing true copies thereof in a separate
 25 envelope addressed to each addressee, respectively, as follows:



27 By transmitting via facsimile the document(s) listed above to the fax number(s) set
 28 forth below on this date before 5:00 p.m. A copy of the transmission report issued
 by the transmitting facsimile machine is attached hereto.

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((BY MAIL): I deposited such envelope in the mail at San Diego, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice for collection and processing of correspondence for mailing with the United States Postal Service; and that the correspondence shall be deposited with the United States Postal Service this 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 day after date of deposit or mailing in affidavit. (CCP §§ 1013, 2015.5.) **Further, notice shall be electronically mailed pursuant to the Southern District of California, Electronic Case Filing Administrative Policies and Procedures, on the parties as indicated above.**

**ATTORNEYS FOR PLAINTIFF
DIANE SWARBERG**

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Fax: (925) 820-5592**

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 date of deposit for mailing in affidavit.

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

Executed on April 20, 2007, at San Diego, California.

/s/DIANA ZOTTOLO