

1 NELSON E. ROTH, SBN 67350  
 ner3@cornell.edu  
 2 CORNELL UNIVERSITY  
 300 CCC Building  
 3 Garden Avenue  
 Ithaca, New York 14853-2601  
 4 Telephone: (607)255-5124  
 Facsimile: (607)255-2794

5  
 6 BERT H. DEIXLER, SBN 70614  
 bdeixler@proskauer.com  
 CHARLES S. SIMS, New York Attorney Registration No. 1535640  
 7 admitted *pro hac vice*  
 csims@proskauer.com  
 8 CLIFFORD S. DAVIDSON, SBN 246119  
 cdavidson@proskauer.com  
 9 PROSKAUER ROSE LLP  
 2049 Century Park East, 32nd Floor  
 10 Los Angeles, CA 90067-3206  
 Telephone: (310) 557-2900  
 11 Facsimile: (310) 557-2193

12 Attorneys for Defendant,  
 CORNELL UNIVERSITY

14 UNITED STATES DISTRICT COURT  
 15 SOUTHERN DISTRICT OF CALIFORNIA

16 KEVIN VANGINDEREN,	)	Case No. 07-CV-2045-BTM (JMA)
	)	
17 Plaintiff,	)	
	)	<b>NOTICE TO COURT OF CALIFORNIA</b>
18 v.	)	<b>SUPREME COURT DECISION</b>
	)	
19 CORNELL UNIVERSITY,	)	Action Filed: October 1, 2007
	)	
20 Defendant.	)	
	)	

22  
 23 On December 24, 2007, the California Supreme Court announced its decision in *Hebrew*  
 24 *Academy of San Francisco et al. v. Richard N. Goldman et al*, S134873, available at  
 25 <http://www.courtinfo.ca.gov/opinions/documents/S134873.PDF>. The Court held that the single-  
 26 publication rule applies without limitation to all publications and that the statute of limitations for  
 27 libel begins to run when the relevant work is distributed, rather than when the plaintiff first reads it  
 28 or learns of its contents, even if the work is of extremely limited circulation.

---

NOTICE TO COURT OF CALIFORNIA SUPREME COURT DECISION

1 For the convenience of the Court, a true and correct copy of the *Hebrew Academy* decision  
2 is attached hereto as Exhibit A.

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: December 27, 2007

NELSON E. ROTH  
CORNELL UNIVERSITY

BERT H. DEIXLER  
CHARLES S. SIMS  
CLIFFORD S. DAVIDSON  
PROSKAUER ROSE LLP

/s/ Clifford S. Davidson  
Clifford S. Davidson

Attorneys for Defendant,  
CORNELL UNIVERSITY