

UNITED STATES DISTRICT COURT

FILED

08 JUL -3 AM 11:28

FOR THE SOUTHERN DISTRICT OF CALIFORNIA  
Transcript Designation and Ordering Form

U.S. Court of Appeals Case No. 08-56-020 U.S. District Court Case No. No 3:07-cv-02095  
Short Case Title (Include Name of Specific Defendants in Criminal Cases) BY: (Include defendant # in Criminal Cases) BTM  
Date Notice of Appeal Filed by Clerk of District Court ECL DEPUTY JMA

SECTION A — To be completed by party ordering transcript

HEARING DATE	COURT REPORTER	PROCEEDINGS (strike portion not desired)
		Voir Dire
		Opening Statements
		Settlement Instructions
		Closing Arguments
		Jury Instructions
		Pre-Trial Proceedings
		Other (please specify)

(attach additional page for designations if necessary)

- I do not intend to designate any portion of the transcript and will notify all counsel of this intention.
- As retained counsel (or litigant proceeding in pro per), I request a copy of the transcript and guarantee payment to the reporter of the cost thereof upon demand. I further agree to pay for work done prior to cancellation of this order.
- As appointed counsel I certify that an appropriate order authorizing preparation of the transcript at the expense of the United States has been, or within 5 days hereof will be, obtained and delivered to the reporter. I agree to recommend payment for work done prior to cancellation of this order.

Date transcript ordered \_\_\_\_\_

Type or Print Name Kevin Vanginderen

Signature of Attorney pro per [Signature] Phone Number 619-585-7917

Address: 637 Third Ave Ste E1, Chula Vista, CA

This form is divided into five parts. It should be used to comply with the Federal Rules of Appellate Procedure and the Local Rules of the U.S. Court of Appeals for the Ninth Circuit regarding the designation and ordering of court reporters' transcripts.

Please note the specific instructions below. If there are further questions, contact the Clerk's Office, U.S. District Court at (619) 557-6368.

SPECIFIC INSTRUCTIONS FOR ATTORNEYS

- Pick up form from district court clerk's office when filing the notice of appeal.
- Complete Section A, place additional designations on blank paper if needed.
- Send Copy 1 to District Court.
- Send Copy 4 to opposing counsel. Make additional photocopies if necessary.
- Send Copies 2 and 3 to court reporter. Contact court reporter to make further arrangements for payment.
- Continue to monitor progress of transcript preparation.





**ATTORNEY KEVIN VANGINDEREN**

637 Third Ave., Ste E1  
Chula Vista, CA 91910  
Telephone (619) 585-7414  
Fax (619) 585-7416

Via facsimile and U.S. Mail

June 25, 2008

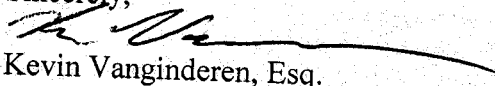
Bert Deixler, Esq.  
Proskauer Rose LLP  
2049 Century Park East, Suite 3200  
Los Angeles, CA 90067-3206

**RE:** Vanginderen v. Cornell University, Appellate Docket No. 08-56-020

Dear Mr. Deixler:

Please be advised that no transcripts will be ordered in the above captioned matter.

Sincerely,

  
Kevin Vanginderen, Esq.

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF San Diego

I have read the foregoing \_\_\_\_\_ and know its contents.

CHECK APPLICABLE PARAGRAPHS

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am  an Officer  a partner \_\_\_\_\_ a \_\_\_\_\_ of \_\_\_\_\_

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason.  I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.  The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am one of the attorneys for \_\_\_\_\_ a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on \_\_\_\_\_, at \_\_\_\_\_, California.  
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Type or Print Name

PROOF OF SERVICE

1013a (3) CCP Revised 5/1/88

Signature

STATE OF CALIFORNIA, COUNTY OF San Diego

I am employed in the county of San Diego, State of California.

I am over the age of 18 and not a party to the within action; my business address is: 637 Third Avenue, Suite E-1, Chula Vista, CA 91910

On, July 3, 2008 I served the foregoing document described as A copy of the Notice to Clerk of No Order for Transcripts

\_\_\_\_\_ on Defendant Attorneys, Ninth Circuit in this action

by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:  
 by placing  the original  a true copy thereof enclosed in sealed envelopes addressed as follows:

Bert Deixler, Esq., Proskauer Rose LLP, 2049 Century Park East, Suite 3200, Los Angeles, CA 90067-3206, and Valerie Cross Dorn, Esq., Office of University Counsel, 300 CCC Building, Garden Ave., Ithaca, New York 14853, Office of Clerk, U.S. Court of Appeals, P.O. Box 193939, San Francisco, CA 94119-3939

BY MAIL

\*I deposited such envelope in the mail at 637 Third Avenue, Chula Vista, California. The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at \_\_\_\_\_ California 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.

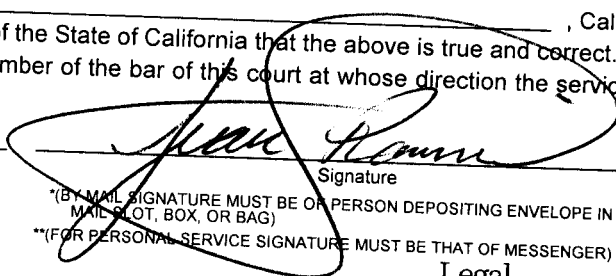
Executed on \_\_\_\_\_, at \_\_\_\_\_, California.  
 \*\* (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on \_\_\_\_\_, at \_\_\_\_\_, California.  
 (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Juan Ramirez

Type or Print Name



Signature

\*(BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)

\*\* (FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)

Legal Solutions Co Plus

Rev. 7/99