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9 **Interim Class Counsel**

10 **UNITED STATES DISTRICT COURT**
 11 **SOUTHERN DISTRICT OF CALIFORNIA**

12
 13 IN RE FERRERO LITIGATION

CASE NO. 3:11-CV-00205-H-CAB
 Pleading Type: Class Action
 Action Filed: February 01, 2011

14
 15 **NOTICE OF MOTION AND MOTION FOR**
 16 **CLASS CERTIFICATION**

Judge: Hon. Marilyn L. Huff
 Date: October 11, 2011
 Time: 10:30 a.m.
 Location: Courtroom 13

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on October 11, 2011, at 10:30 a.m. in Courtroom 13 or
3 as soon thereafter as they may be heard, Plaintiffs Athena Hohenberg and Laura Rude-Barbato
4 will, and hereby do, respectfully move for the Court for an Order that:

- 5 1. Their claims be maintained as a class action;
6 2. They be named Class Representative; and
7 3. Their counsel be appointed Class Counsel.

8 This Motion is based on this Notice, the accompanying Memorandum of Points and
9 Authorities, the accompanying Declarations of Gregory S. Weston, Jack Fitzgerald, and Ronald
10 A. Marron, all other pleadings and papers on file in this action, and such oral and documentary
11 evidence and argument as may be presented at the time of hearing.

12
13 Dated: August 1, 2011

Respectfully submitted,

14 /s/ Jack Fitzgerald
15 Jack Fitzgerald

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