

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

MIAMI DIVISION

CASE NO. 07-21221 CIV ALTONAGA/Turnoff

RENEE BLASZKOWSKI, *et al.*,  
individually and on behalf of others  
similarly situated,

Plaintiffs/Class Representatives,

vs.

MARS INC., *et al.*,

Defendants.

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**PLAINTIFFS' MOTION TO ACCEPT AS FILED CORRECTED EXHIBIT TO  
MOTION FOR LEAVE TO AMEND**

Plaintiffs, Renee Blaszkowski *et al.*, respectfully request this Court to enter an Order accepting the attached Exhibit "A" as the correct exhibit to the Motion for Leave to Amend and state as follows:

1. On Friday, November 16, 2007, the Plaintiffs filed their Unopposed Motion for Leave to Amend [DE 256], which the Court granted and deemed that Exhibit "A" attached to the Motion was deemed filed as of the date of the order. [DE 257 p. 3].
2. Due to clerical error at the time of electronic filing, the wrong version of the Second Amended Complaint was electronically attached as the Exhibit.
3. Prior to the time that the Plaintiffs were able to file a corrected exhibit to the motion, the Court entered the Order. [DE 257].
4. The Plaintiff's thus respectfully request that the Court enter an Order deeming as filed the Second Amended Complaint attached to this Motion in lieu of the

Exhibit "A" attached to the Motion for Leave to Amend filed on November 16, 2007.  
[DE 256].

WHEREFORE, Plaintiffs, Renee Blaszkowski, *et al.*, respectfully request this Honorable Court to enter an order deeming as filed the attached Exhibit "A" as the correct Second Amended Complaint and for all other relief that this Court deems just and proper.

Dated: November 19, 2007  
Miami, Florida

### **Rule 7.1 Certificate**

Prior to filing this Motion, the undersigned conferred with Carol Licko, Esquire, on behalf of all Defendants, who has agreed to the relief requested.

Respectfully submitted,

/s/Catherine J. MacIvor  
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**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that the foregoing was electronically filed with the Clerk of the Court via CM/ECF on this 16<sup>th</sup> day of November, 2007. We also certify that the foregoing was served on all counsel or parties of record on the attached Service List either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronic Notices of Filing.

s/ Catherine J. MacIvor \_\_\_\_\_  
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