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) CIVIL ACTION ) FILE NO. 1:08-CV-0421-TWT
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#### NOTICE OF FILING ORIGINAL DISCOVERY UNDER SEAL

COMES NOW, Maureen Toffoloni, as Administratrix and Personal Representative of the Estate of Nancy Elizabeth Benoit, by and through the undersigned counsel, and hereby files the following original depositions under seal pursuant to this Court's Protective Order dated December 22, 2009:

- (1) Deposition of Mark Johnson dated April 13, 2010; and
- (2) Deposition of Donna Hahner dated April 13, 2010.

#### Respectfully submitted July 27, 2010.

### /s/ Richard P. Decker

RICHARD P. DECKER State Bar of Georgia #215600 F. EDWIN HALLMAN, JR. State Bar of Georgia #319800 RICHARD A. WINGATE State Bar of Georgia #770617 ZACHARY M. WILSON III State Bar of Georgia #559581

For HALLMAN & WINGATE, LLC Attorneys for Petitioner

166 Anderson Street, S.E. Suite 210 Marietta, Georgia 30060 (404) 588-2530

MAUREEN TOFFOLONI,	)
as Administrarix and Personal	)
Representative of the	)
ESTATE OF NANCY E. BENOIT,	)
	)
Plaintiff,	)
	)
V.	) CIVIL ACTION
	) FILE NO. 1:08-CV-0421-TWT
LFP PUBLISHING GROUP, LLC,	)
d/b/a Hustler Magazine,	)
MARK SAMANSKY, an Individual,	)
and other distributors and sellers of,	)
Hustler Magazine, as	)
Defendants X, Y, and Z,	)
	)
Defendants.	)

#### **CERTIFICATE OF SERVICE**

This is to certify that on July 27, 2010, I have electronically filed the foregoing Notice of Filing Under Seal with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorney(s) of record:

James Clifton Rawls, Esq. S. Derek Bauer, Esq.

Barry J. Armstrong, Esq. Darrell Jay Solomon, Esq. Jeffrey F. Reina, Esq. Paul J. Cambria, Esq.

and by placing a copy of same in the United States Mail in a properly addressed envelope with adequate postage thereon to:

William M. Feigenbaum, Esq. Lipsitz, Green, Scime, Cambria, LLP 42 Delaware Avenue, Suite 120 Buffalo, NY 14202

/s/ Richard P. Decker

RICHARD P. DECKER State Bar of Georgia #215600

For HALLMAN & WINGATE, LLC Attorneys for Plaintiff

166 Anderson Street, S.E. Suite 210 Marietta, Georgia 30060 (404) 588-2530

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### DOCUMENT TO BE FILED UNDER SEAL DO NOT OPEN

Deposition of Mark Johnson, April 13, 2010

Submitted by:

RICHARD P. DECKER
State Bar of Georgia #215600
For HALLMAN & WINGATE, LLC
Attorneys for Petitioner
166 Anderson Street, S.E.
Suite 210
Marietta, Georgia 30060
(404) 588-2530

MAUREEN TOFFOLONI,	
as Administrarix and Personal	)
Representative of the	)
ESTATE OF NANCY E. BENOIT,	
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Hustler Magazine, as	
Defendants X, Y, and Z,	
Defendants.	)

### DOCUMENT TO BE FILED UNDER SEAL DO NOT OPEN

Deposition of Donna Hahner, April 13, 2010

#### Submitted by:

RICHARD P. DECKER
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For HALLMAN & WINGATE, LLC
Attorneys for Petitioner
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