

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
(NEWARK VICINAGE)**

BONNER KIERNAN TREBACH  
& CROCIATA, LLP  
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(973) 335-8480  
Attorneys for Defendant  
Tri-Union Seafoods, L.L.C.  
d/b/a Chicken of the Sea  
(KS-7180)

DEBORAH FELLNER,	:	CIVIL ACTION NO. 2:06-CV-688 (DMC)-MF
	:	
Plaintiff,	:	
	:	
v.	:	<b>NOTICE OF MOTION REQUESTING</b>
	:	<b>JUDICIAL NOTICE</b>
	:	
TRI-UNION SEAFOODS, L.L.C.,	:	
d/b/a CHICKEN OF THE SEA,	:	
	:	OCTOBER 5, 2009
Defendant.	:	

**To:** Barry R. Eichen, Esq.  
Eichen Levinson & Crutchlow, LLP  
40 Ethel Road  
Edison, New Jersey 08817  
Attorneys for Plaintiff

**PLEASE TAKE NOTICE** that on October 5, 2009 at 9:00 a.m. in the forenoon, or as soon thereafter as counsel may be heard, the undersigned, counsel for defendant Tri-Union Seafoods, L.L.C. d/b/a Chicken of the Sea, will apply to the United States District Court, District of New Jersey, Newark Vicinage, at the Martin Luther King, Jr. Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey for the following relief:

**Requesting that the Court Take Judicial Notice of items submitted pursuant to Rule 201 of the Federal Rules of Evidence.**

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, the undersigned will rely upon the Certification filed herewith.


**PLEASE TAKE FURTHER NOTICE** that oral argument is requested.

Respectfully submitted,

BONNER KIERNAN TREBACH  
& CROCIATA, LLP  
Attorneys for Defendant  
Tri-Union Seafoods, L.L.C.  
d/b/a Chicken of the Sea

Dated: October 1, 2009

By:

  
\_\_\_\_\_  
Kenneth A. Schoen (KS-7180)

**CERTIFICATE OF SERVICE**

I, Kenneth A. Schoen, hereby certify that a true copy of the within document was served upon Barry R. Eichen, Esq., Echen, Levinson and Crutchlow, LLP at 40 Ethel Road, Edison, New Jersey, 08817 via Federal Express, overnight delivery on October 1, 2009.

Dated: October 1, 2009

By:

  
\_\_\_\_\_  
Kenneth A. Schoen (KS-7180)