

Dated: May 5, 2009

Respectfully submitted,

By: /s/ Christopher S. Storm

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**ATTORNEYS FOR DEFENDANT BANK
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**CERTIFICATE OF SERVICE
PURSUANT TO LOCAL RULE CV-5(D)**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 5th day of May, 2009, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail and first class mail on this same date.

/s/ Christopher S. Storm

Christopher S. Storm