



Anascape acknowledges and agrees that NCL is not a party to this litigation and that nothing herein shall be deemed to constitute, or argued to be deemed to constitute, a waiver of any of NCL'S rights or remedies, all of which are expressly reserved. Anascape does not waive the right to contend that any materials held by, controlled by, and/or associated with NCL are within the possession, custody, or control of NOA, as contemplated by the Federal Rules of Civil Procedure and/or any controlling law or local rule of this Court. NOA does not waive the right to contend that any materials held by, controlled by, and/or associated with NCL are not within the possession, custody or control of NOA, as contemplated by the Federal Rules of Civil Procedure and/or any controlling law or local rule of this Court.

DATED: December 20, 2007

Respectfully submitted,

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## CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a), on December 20, 2007. As such, this motion was served on all counsel who had consented to electronic service.

/s/ Anthony M. Garza \_\_\_\_\_  
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