

CERTIFICATE OF SERVICE

I hereby certify that on October 3 2006, I electronically filed the foregoing Motion to Disqualify with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Floyd E. Ivey,

MERKLE, SIEGEL, & FRIEDRICHSEN, P.C.

DATE: October 3, 2006

BY: /s/ ROBERT J. SIEGEL

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