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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES
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11 RICHARD BOEKEN,)
12 Plaintiff,)
13 vs.)
14 PHILIP MORRIS, INC., et al.,)
15 Defendants.)

Case No. BC 226593
PLAINTIFF'S APPENDIX OF NON-CALIFORNIA AUTHORITIES IN SUPPORT OF:
1. PLAINTIFF'S OPPOSITION TO PHILIP MORRIS, INC.'S MOTION TO STRIKE PORTIONS OF PLAINTIFF'S COMPLAINT; AND
2. PLAINTIFF'S OPPOSITION TO PHILIP MORRIS, INC.'S DEMURRER

Date: June 7, 2000
Time: 8:30 a.m.
Dept: 55
Complaint Filed: May 16, 2000

Judge: Honorable Cesar C. Sarmiento

FILED CONCURRENTLY HEREWITH:

OPPOSITION TO PHILIP MORRIS, INC.'S MOTION TO STRIKE;
OPPOSITION TO PHILIP MORRIS, INC.S DEMURRER; REQUEST FOR JUDICIAL NOTICE; DECLARATION OF MICHAEL J. PIUZE; [PROPOSED] ORDER; AND PROOF OF SERVICE

26 For the convenience of the Court the following the authorities are attached hereto as
27 referenced in the Memorandum of Points and Authorities in Support of Plaintiff's Opposition
28 to Philip Morris, Inc.'s Motion to Strike Portions of Plaintiff's Complaint.

1 **PROOF OF SERVICE**
2 Boeken v. Philip Morris, Inc., et al.
3 Case No. BC 226593

4 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

5 I am employed in the County of Los Angeles, State of California. I am over the age of
6 18 and not a party to the within action; my business address is 11755 Wilshire Boulevard,
7 Suite 1170, Los Angeles, California 90025.

8 On May 26, 2000, I served the foregoing document described as **PLAINTIFF'S**
9 **APPENDIX OF NON-CALIFORNIA AUTHORITIES IN SUPPORT OF: 1. PLAINTIFF'S**
10 **OPPOSITION TO PHILIP MORRIS, INC.'S MOTION TO STRIKE PORTIONS OF**
11 **PLAINTIFF'S COMPLAINT; AND 2. PLAINTIFF'S OPPOSITION TO PHILIP MORRIS,**
12 **INC.'S DEMURRER** on the interested parties in this action by placing:

13 _____ the original to the propounding party and a true copy to all other parties; or

14 XX a true copy thereof enclosed in a sealed envelope addressed as follows:

15 **See Attached Service List**

16 (X) By Envelope - by placing () the original (X) a true copy thereof enclosed in sealed
17 envelopes addressed as above and delivering such envelopes:

18 (X) By Mail: As follows: I am "readily familiar" with this firm's practice of collection and
19 processing correspondence for mailing. Under that practice, it would be deposited with United
20 States Postal Service on that same day with postage thereon fully prepaid at Los Angeles,
21 California in the ordinary course of business. I am aware that on motion of party served,
22 service is presumed invalid if postal cancellation date or postage meter date is more than 1
23 day after date of deposit for mailing in affidavit.

24 () By Personal Service: I delivered such envelope by hand to the addressee(s) above.

25 () By Federal Express: I caused such envelope to be delivered by Federal Express
26 delivery service to the offices of the addressee.

27 () By Facsimile Transmission: On _____, I caused the above-named document to be
28 transmitted by facsimile transmission telephonically to the offices of the addressee(s) at the
facsimile number(s) so indicated above. The transmission was reported as complete and
without error. A copy of the transmission report properly issued by the transmitting facsimile
machine is attached hereto.

Executed on May 26, 2000, at Los Angeles, California.

(X) (State) I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

() (Federal) I declare that I am employed by the office of a member of the bar or of this court
at whose direction the service was made.

Ellen Girma

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SERVICE LIST
Boeken v. Philip Morris, Inc., et al.
Case No. BC 226593

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