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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,	)	Case No. BC 226593
12 Plaintiff,	)	
13 vs.	)	<b>NOTICE OF RULING</b>
14 PHILIP MORRIS, INCORPORATED, a	)	
corporation; INTERNATIONAL HOUSE OF	)	
15 PANCAKES, INCORPORATED, a	)	
corporation; DOES 1-100 inclusive	)	
16 Defendants	)	
17 _____	)	

18 PLEASE TAKE NOTICE that defendant International House of Pancakes' demurrer  
19 was heard on June 8. Michael J. Piuze and Holly Hostrop appeared for plaintiff. Tejas  
20 Patel appeared for defendant International House of Pancakes. John Carlton and Angel  
21 Tang appeared for all other defendants.

22 Plaintiff withdrew the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> causes of action against defendant  
23 International House of Pancakes only. Plaintiff stipulated that he claimed no personal injury  
24 damages against defendant International House of Pancakes and his 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup>  
25 causes of action.

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

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

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

On June 12, 2000, I served the foregoing document described as **NOTICE OF RULING** on the interested parties in this action by placing:

- the original to the propounding party and a true copy to all other parties; or
- a true copy thereof enclosed in a sealed envelope addressed as follows:

**See attached SERVICE LIST**

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

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

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

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

By Facsimile Transmission: On \_\_\_\_\_, I caused the above-named document to be 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 June 12, 2000, at Los Angeles, California.

(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.

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JOHNNYE HENRY

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

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