

USDC SCAN INDEX SHEET



AJG 4/18/05 10:49

3:02-CV-02497 HUBBARD V. RITE AID CORPORATION

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OBJ.

ORIGINAL

1 Wayne C. Arnold, Bar No. 103194
 2 Lisa D. Herzog, Bar No. 194123
 3 HART, KING & COLDREN
 4 A PROFESSIONAL CORPORATION
 5 200 East Sandpointe, Fourth Floor
 6 Santa Ana, California 92707
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FILED

05 APR 14 PM 4:12

CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: DEPUTY

9 Attorneys for Defendants RITE AID CORPORATION and
 10 ARTHUR CIUFFO, JR. and EVELYN EMMERSON,
 11 Trustees of the CIUFFO FAMILY TRUST B erroneously
 12 Sued as THE CIUFFO FAMILY TRUST B, ET AL.

13 UNITED STATES DISTRICT COURT
 14 SOUTHERN DISTRICT OF CALIFORNIA

BY FAX

15 LYNN J. HUBBARD, BARBARA J.
 16 HUBBARD,

Case No.: 02CV2497-WQH (BLM)

Plaintiff,

v.

DEFENDANTS' OBJECTION TO
 ARGUMENT CONTAINED IN
 PLAINTIFFS' REQUEST FOR JUDICIAL
 NOTICE

17 RITE AID CORPORATION; THE
 18 CIUFFO FAMILY TRUST B, ET AL;
 19 AVOCADO PLAZA, L.L.C. and DOES 1
 20 through 20,

Date: April 22, 2005
 Time: 3:00 p.m.
 Ctrm.: 4

Defendant.

Complaint Filed: December 18, 2002
 Trial Date: None

21 Defendants RITE AID CORPORATION and ARTHUR CIUFFO, JR. and EVELYN
 22 EMMERSON, Trustees of the CIUFFO FAMILY TRUST B (collectively "RITE AID") by
 23 and through their attorney, hereby object to the argument contained in Plaintiffs' Request for
 24 Judicial Notice. RITE AID does not object to plaintiffs' request that the court take judicial
 25 notice of the opinions attached to its request.
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HART, KING & COLDREN
 A PROFESSIONAL CORPORATION
 200 EAST SANDPOINTE, FOURTH FLOOR
 SANTA ANA, CALIFORNIA 92707

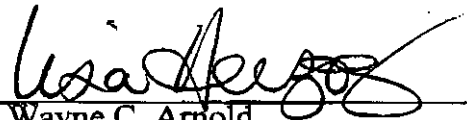
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Because, the inclusion of argument within plaintiffs' request, RITE AID respectfully requests that this Court disregard plaintiffs' additional arguments.

Dated: April 14, 2005

HART, KING & COLDREN

By:



Wayne C. Arnold
Lisa D. Herzog
Attorneys for Defendants RITE AID CORPORATION and ARTHUR CIUFFO, JR. and EVELYN EMMERSON, Trustees of the CIUFFO FAMILY TRUST B

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