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13 California Institute of Technology

14 UNITED STATES DISTRICT COURT
15 CENTRAL DISTRICT OF CALIFORNIA

16 Robert M. Nelson, William Bruce) CASE NO. CV-07-05669 ODW (VBKX)
17 Banerdt, Julia Bell, Josette Bellan,)
18 Dennis V. Byrnes, George Carlisle, Kent) The Hon. Otis D. Wright II
19 Robert Crossin, Larry R. D'Addario,)
20 Riley M. Duren, Peter R. Eisenhardt,) **PROOF OF SERVICE OF**
21 Susan D.J. Foster, Matthew P.) **CALIFORNIA INSTITUTE OF**
22 Golombek, Varoujan Gorjian, Zareh) **TECHNOLOGY'S OPPOSITION TO**
23 Gorjian, Robert J. Haw, James Kulleck,) **PLAINTIFFS' MOTION FOR**
24 Sharon L. Laubach, Christian A.) **PRELIMINARY INJUNCTION**
25 Lindensmith, Amanda Mainzer, Scott)
26 Maxwell, Timothy P. McElrath, Susan) Hearing Date: October 1, 2007
27 Paradise, Konstantin Penanen, Celeste M.) Time: 4:00 pm
28 Satter, Peter M.B. Shames, Amy Snyder) Courtroom: 11
Hale, William John Walker and Paul R.)
Weissman,)

29 Plaintiffs,

30 vs.

31 National Aeronautics and Space)
32 Administration, an Agency of the United)
33 States; Michael Griffin, Director of)
34 NASA, in his official capacity only;)
35 Department of Commerce; Carlos M.)
36 Gutierrez, Secretary of Commerce, in his)
37 official capacity only; California Institute)
38 of Technology; and Does 1-100,)

39 Defendants.

1 **PROOF OF SERVICE**

2 I, Allison L. Mayo Andrews, am employed in the County of Los Angeles,
3 State of California. I am over the age of 18 and not a party to the within action;
4 my business address is Kirkland & Ellis LLP, 777 S. Figueroa Street. Los
5 Angeles, CA 90017.

6 On September 21, 2007, I served the foregoing document(s) described as:

- 7
- 8 1. CALIFORNIA INSTITUTE OF TECHNOLOGY'S OPPOSITION TO
9 PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION;
 - 10 2. DECLARATION OF RANDY J. ADEN IN SUPPORT OF
11 CALIFORNIA INSTITUTE OF TECHNOLOGY'S OPPOSITION TO
12 PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION;
 - 13 3. DECLARATION OF STEPHEN PROIA IN SUPPORT OF
14 CALIFORNIA INSTITUTE OF TECHNOLOGY'S OPPOSITION TO
15 PLAINTIFFS MOTION FOR PRELIMINARY INJUNCTION;
 - 16 4. DECLARATION OF COZETTE HART IN SUPPORT OF
17 CALIFORNIA INSTITUTE OF TECHNOLOGY'S OPPOSITION TO
18 PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION;
 - 19 5. DECLARATION OF R. ALEXANDER PILMER IN SUPPORT OF
20 CALIFORNIA INSTITUTE OF TECHNOLOGY'S OPPOSITION TO
21 PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION;
 - 22 6. [PROPOSED] ORDER DENYING PLAINTIFFS' MOTION FOR
23 PRELIMINARY INJUNCTION; and
 - 24 7. PROOF OF SERVICE OF CALIFORNIA INSTITUTE OF
25 TECHNOLOGY'S OPPOSITION TO PLAINTIFFS' MOTION FOR
26 PRELIMINARY INJUNCTION.

27 on the interested parties in this action as follows:

28 **SEE ATTACHED SERVICE LIST**

[U.S. Mail] By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below. I am familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S.

1 postal service on that same day with postage thereon fully prepaid in
the ordinary course of business.

2 **[Facsimile]** By transmitting via facsimile the above listed document(s)
3 to the fax number(s) set forth below on this date.

4 **[E-mail]** By transmitting via electronic mail the document(s) listed
5 above to the person at the electronic addresses set forth in the above-
entitled action.

6 **[Personal Service]** By causing personal delivery of the document(s)
7 listed above to the person at the address(es) set forth below.

8 **[Federal Express]** By placing the document(s) listed above in a sealed
9 overnight courier envelope addressed as set forth below and routing
10 the envelope for pick up within our offices by Federal Express. I am
11 familiar with the firm's practice of collection for pick up and overnight
12 delivery by Federal Express. It is routed for daily pick up in our
offices by Federal Express on that same day with overnight courier
charges thereon fully prepaid in the ordinary course of business. I am
aware that on motion of the party served, service is presumed invalid if
the delivery date is more than one day after date of deposit with
Federal Express in this affidavit.

13 **(Federal)** I declare under penalty of perjury that I am employed in the
14 office of a member of the bar of this court at whose direction the
service was made.

15 Executed on September 21, 2007 at Los Angeles, California.

16 
17 Allison L. Mayo Andrews
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SERVICE LIST

Via U.S. Mail and Facsimile

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National Aeronautics and Space
Administration; Michael Griffin, Director
of NASA; Department of Commerce;
Carlos M. Gutierrez, Secretary of
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