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9 **Kevin Russell**

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 **ROBERT JACOBSEN,**

14 **Plaintiff,**

15 **vs.**

16 **MATTHEW KATZER, KAMIND**
17 **ASSOCIATES, INC., and KEVIN**
18 **RUSSELL,**

19 **Defendants.**

Case No. C 06 1905 JSW

NOTICE OF SPECIAL MOTION
TO STRIKE PLAINTIFF'S
CLAIMS AGAINST KEVIN
RUSSELL UNDER CAL. CIV.
PROC. CODE § 425.16

Date: August 4, 2006
Time: 9:00 a.m.
Dept: Courtroom 2, 17th floor
Hon. Jeffrey S. White

20 **TO PLAINTIFF AND HIS ATTORNEY OF RECORD:**

21 **PLEASE TAKE NOTICE THAT on August 4, 2006, at 9:00 a.m., in**
22 **Courtroom 17, 16th floor, of the Federal Building, located at 450 Golden Gate Avenue,**
23 **San Francisco, California, before the Hon. Jeffrey S. White, Defendant Kevin Russell**
24 **shall have heard his MOTION TO STRIKE PLAINTIFF'S CLAIMS AGAINST KEVIN**
25 **RUSSELL UNDER CAL. CIV. PROC. CODE § 425.16.**

26 **The grounds for this special motion to strike are that all of the conduct alleged**
27 **against Russell in the Complaint is "protected activity." Further grounds are that**
28 **plaintiff cannot demonstrate a probability of prevailing on any claim asserted against**
defendant Russell.

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The motion will be based upon this Notice of Motion and Motion, the Memorandum of Points and Authorities, Declarations of Kevin Russell and Matthew Katzer filed herewith, and the pleadings and papers filed herein.

Dated: May 12, 2006

Law Offices of David M. Zeff

By 
David M. Zeff, Attorneys For
Defendant Kevin Russell