

VENABLE LLP  
2049 CENTURY PARK EAST, SUITE 2100  
LOS ANGELES, CALIFORNIA 90067  
(310) 229-9900

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VENABLE LLP  
PETER S. KRAVITZ (State Bar No. 178049)  
MELANIE S. JOO (State Bar No. 237124)  
2049 Century Park East, Suite 2100  
Los Angeles, California 90067  
Telephone: (310) 229-9900  
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Attorneys for Defendant  
ANDREW LEFT

**FILED**  
LOS ANGELES SUPERIOR COURT  
SEP 27 2006  
JOHN A. CLARKE, CLERK  
*[Signature]*  
BY A E LA FLEUR-CLAYTON, DEPUTY

SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CENTRAL DISTRICT

DON DANKS, an individual,  
Plaintiff,

v.

BILL HARRIS, an individual; ALEX  
VAYNBERG, an individual; ANDREW LEFT, an  
individual; STOCKLEMON.COM, and DOES 1  
through 10, inclusive,  
Defendants.

CASE NO.: BC 330676  
(Assigned to: Hon. Edward A. Ferns)

NOTICE OF RULING RE ANDREW  
LEFT'S MOTION TO SET ASIDE  
THE DEFAULT JUDGMENT  
ENTERED AGAINST NON-ENTITY  
DEFENDANT STOCKLEMON.COM  
AND TO DISMISS THE SUIT  
AGAINST THE IMPROPERLY  
NAMED WEBLOG

D-69  
Action Filed: March 22, 2005

VENABLE LLP  
2049 CENTURY PARK EAST, SUITE 2100  
LOS ANGELES, CALIFORNIA 90067  
(310) 229-9900

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on September 25, 2006, after considering the papers submitted in support of Defendant Andrew Left's Motion to Set Aside The Default Judgment Entered Against Non-Entity Defendant Stocklemon.com and To Dismiss the Suit Against the Improperly Named Weblog ("Motion"), the Court issued its Order on the submitted matter concerning the Motion. A copy of this Order is attached hereto as Exhibit "A" and incorporated herein.

Dated: September 27, 2006

VENABLE LLP



By: \_\_\_\_\_  
Peter S. Kravitz  
Attorneys for Defendant  
Andrew Left

COPY

1 VENABLE LLP  
DOUGLAS C. EMHOFF (SBN 151049)  
2 PETER S. KRAVITZ (SBN 178049)  
BRADLEY B. ARMSTRONG (SBN 239855)  
3 2049 Century Park East, Suite 2100  
Los Angeles, CA 90067

ORIGINAL FILED AUG 21 2006

SEP 25 2006

4 Telephone: (310) 229-9900  
5 Facsimile: (310) 229-9901

LOS ANGELES  
SUPERIOR COURT

6 Attorneys for Defendant Andrew Left

7 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
8 COUNTY OF LOS ANGELES, CENTRAL DISTRICT  
9

10 DON DANKS, an individual,  
11 Plaintiff,  
12 v.  
13 BILL HARRIS, an individual; ALEX  
VAYNBERG, an individual; ANDREW  
14 LEFT, an individual; STOCKLEMON.COM,  
and DOES 1 through 0, inclusive  
15 Defendants.

Case No: BC330676

~~PROPOSED~~ ORDER

Date: September 25, 2006  
Time: 8:30 a.m.  
Dept: 69

Action Filed: March 22, 2005

Assigned to the Honorable Edward A. Ferns

23  
24 On September 25, 2006, Defendant Andrew Left's ("Left") Motion To Set Aside The  
25 Default Judgment Entered Against Non-Entity Defendant Stocklemon.com and To Dismiss The  
26 Suit Against The Improperly Named Weblog ("Motion to Set Aside and Dismiss") came on for  
27 hearing before the Honorable Edward A. Ferns, in Department "69" of this Court. After  
28

~~PROPOSED~~ ORDER

EXA

VENABLE LLP  
2049 CENTURY PARK EAST, SUITE 2100  
LOS ANGELES, CALIFORNIA 90067  
(310) 229-9900  
FILING WINDOW  
AUG 21 2006

1 considering the papers submitted by the parties and the argument of counsel, the Court granted  
2 Left's Motion to Set Aside and Dismiss.

3  
4 **IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the default  
5 entered against Stocklemon.com be set aside and the suit against Stocklemon.com be dismissed.  
6

7 **SEP 25 2006**

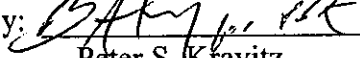
Dated: \_\_\_\_\_, 2006

**EDWARD A. FERNS**

\_\_\_\_\_  
The Honorable Edward A. Ferns,  
Judge of The Superior Court

9 *Submitted by:*

10 VENABLE LLP  
11 DOUGLAS C. EMHOFF  
12 PETER S. KRAVITZ  
13 BRADLEY B. ARMSTRONG

14 By:   
Peter S. Kravitz  
15 Attorneys for Defendant  
16 Andrew Left  
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PROOF OF SERVICE  
1013A(3) C.C.P.

1  
2 STATE OF CALIFORNIA )  
3 ) ss.  
4 COUNTY OF LOS ANGELES )

5 I am employed in the County of Los Angeles, State of California; I am over the age of 18  
6 and not a party to the within action; my business address is 2049 Century Park East, Suite 2100,  
7 Los Angeles, California 90067.

8 On August 21, 2006, I served the documents described on the attached "List of  
9 Documents" on the interested parties in said action by placing [ ] the original [X] a true copy  
10 thereof in a sealed envelope(s) addressed as follows:

See Attached Service List

11  BY MAIL

12 I am "readily familiar" with the firm's practice of collection and processing correspondence for  
13 mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day  
14 with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business.  
15 I am aware that on motion of the party served, service is presumed invalid if postal cancellation  
16 date or postage meter date is more than one date after date of deposit for mailing the affidavit.

17  BY OVERNIGHT COURIER

18 I caused such envelope(s) to be delivered by overnight courier to the offices of the addressee(s)  
19 noted above.

20  BY PERSONAL SERVICE

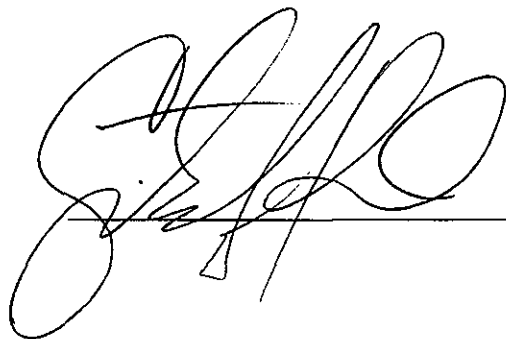
21 I caused such envelope(s) to be delivered by hand to the offices of the addressee(s) noted above.

22 Executed on August 21, 2006, at Los Angeles, California.

23  STATE I declare under penalty of perjury under the laws of the State of California  
24 that the foregoing is true and correct.

25  FEDERAL I declare that I am employed in the office of a member of the bar of this  
26 Court at whose direction the service was made.

27 Cynthia Rubalcava  
28 Type or Print Name



VENABLE LLP  
2049 CENTURY PARK EAST, SUITE 2100  
LOS ANGELES, CALIFORNIA 90067  
(310) 229-9000

SERVICE LIST

Barry K. Rothman, Esq.  
LAW OFFICES OF BARRY K. ROTHMAN  
1901 Avenue Of the Stars  
Suite 370  
Los Angeles, CA 90067

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**VENABLE LLP**  
2049 CENTURY PARK EAST, SUITE 2100  
LOS ANGELES, CALIFORNIA 90067  
(310) 229-900

LIST OF DOCUMENTS

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[PROPOSED] ORDER.

**VENABLE LLP**  
 2049 CENTURY PARK EAST, SUITE 2100  
 LOS ANGELES, CALIFORNIA 90067  
 (310) 229-9000

**PROOF OF SERVICE**  
**1013A(3) C.C.P.**

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3 STATE OF CALIFORNIA )  
4 COUNTY OF LOS ANGELES )      ss.

5 I am employed in the County of Los Angeles, State of California; I am over the age of 18 and  
6 not a party to the within action; my business address is 2049 Century Park East, Suite 2100, Los  
7 Angeles, California 90067.

8 On September 27, 2006, I served the documents described on the attached **NOTICE OF**  
9 **RULING RE ANDREW LEFT'S MOTION TO SET ASIDE THE DEFAULT JUDGEMENT**  
10 **ENTERED AGAINST NON-ENTITY DEFENDANT STOCKLEMON.COM AND TO**  
11 **DISMISS THE SUIT AGAINST THE IMPROPERLY NAMED WEBLOG** on the interested  
12 parties in said action by placing [ ] the original [X] a true copy thereof in a sealed envelope(s)  
13 addressed as follows:

14 See Attached Service List

11 **[X] BY MAIL**

12 I am "readily familiar" with the firm's practice of collection and processing correspondence for  
13 mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with  
14 postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am  
15 aware that on motion of the party served, service is presumed invalid if postal cancellation date or  
16 postage meter date is more than one date after date of deposit for mailing the affidavit.

15 **[ ] BY FAX**

16 [ ] I faxed such documents pursuant to Los Angeles County Rules of Court, Section 520(c) (4), to  
17 the fax number(s) listed on the attached service mailing list. And

18 [ ] By placing a true copies thereof enclosed in sealed envelope(s) addressed as stated on the  
19 attached service mailing list.

19 **[ ] BY PERSONAL SERVICE**

20 I caused such envelope(s) to be delivered by hand to the offices of the addressee(s) noted above.

21 **Executed on September 27, 2006, at Los Angeles, California.**

22 **[X] STATE** I declare under penalty of perjury under the laws of the State of California that  
23 the foregoing is true and correct.

24 **[ ] FEDERAL** I declare that I am employed in the office of a member of the bar of this Court at  
25 whose direction the service was made.

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Amy Stark



SERVICE LIST

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Barry K. Rothman, Esq.  
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*Attorney for Plaintiff*

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