SCANNED ON 6/2/2008

PLEASE TAKE NOTICE that, upon the Affirmation of Peter N. Villar, dated May 21, 2008, and the exhibits annexed thereto, the accompanying Memorandum of Law in Support of Motion to Dismiss First Amended Counterclaims and Third-Party Complaint, and all

Dated: May 21, 2008

Respectfully submitted,

BINGHAM MCCUTCHEN LLP

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