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November 4, 2010

**Sent Via Facsimile Only**

The Honorable Robert B. Freedman  
Superior Court of California, Alameda County  
Department 20  
Administration Building  
1221 Oak Street  
Oakland, CA 94612  
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**FILED**  
ALAMEDA COUNTY

NOV 24 2010

CLERK OF THE SUPERIOR COURT  
By \_\_\_\_\_ Deputy

Re: Godfrey et al. v. Oakland Port Services Corporation d/b/a AB Trucking  
Alameda County Superior Court Case No. RG 08-379099


Dear Judge Freedman:

With regard to the above-referenced matter, Defendant filed on October 20, 2010, a Demurrer and Motion to Strike Portions of Plaintiffs' Second Amended Complaint, to be heard on December 3, 2010.

Inasmuch as the pleadings are at issue, Plaintiffs' Motion for Class Certification, filed October 29, 2010, is premature. Defendant therefore inquires whether the Court wishes Defendant to file its opposition to Plaintiffs' motion notwithstanding the status of the Second Amended Complaint or whether the parties should wait until after the hearing for Defendant's Demurrer and Motion to Strike Portions of Plaintiffs' Second Amended Complaint.

We gladly await the Court's response. Thank you very much.

Very truly yours,

  
Jay Ian Aboudi, Esq.  
Attorney for Defendant Oakland Port  
Services Corporation d/b/a AB Trucking

cc: Lisl Duncan, Esq.