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 8 Attorney for Defendant
 9 OAKLAND PORT SERVICES CORPORATION
 10 d/b/a AB TRUCKING (erroneously sued as AB
 11 TRUCKING, INC.)

FILED
 ALAMEDA COUNTY
 OCT 29 2010
 CLERK OF THE SUPERIOR COURT
[Signature]

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 FOR THE COUNTY OF ALAMEDA

11 LAVON GODFREY and GARY GILBERT, on
 12 behalf of themselves and all others similarly
 13 situated;
 14
 15 Plaintiffs,
 16
 17 v.
 18 OAKLAND PORT SERVICES
 19 CORPORATION d/b/a AB TRUCKING, and
 20 DOES 1 through 20, inclusive,
 21
 22 Defendants.

CASE NO. RG 08-379099

**DECLARATION OF JAY IAN ABOUDI
 IN SUPPORT OF DEFENDANT'S
 MOTION TO STRIKE PORTIONS OF
 PLAINTIFFS' SECOND AMENDED
 COMPLAINT**

Date: December 3, 2010
 Time: 10:00 a.m.
 Place: Department 20
 Judge: Hon. Robert Freedman
 Action Filed: March 28, 2008
 Reservation No.: R-1117224

20 I, JAY IAN ABOUDI, declare:

21 1. I am an attorney at law licensed by the State Bar of California and serve as counsel of
 22 record for defendant OAKLAND PORT SERVICES CORPORATION d/b/a AB TRUCKING
 23 ("OPS"). I have personal knowledge of the matters set forth in this declaration and if called as a
 24 witness I could and would competently testify as set forth herein. The exhibits attached to this
 25 declaration are true and correct copies of the documents referred to and they are incorporated
 26 into this declaration at the place where reference to them is made. I present this declaration in
 27 support of the motion to strike portions of plaintiffs' second amended complaint.

28 2. On September 16, 2010, counsel for Plaintiffs filed (1) an ex parte motion for an order