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FILED
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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

FRIED, FRANK, HARRIS, SHRIVER & JACOBSON
350 South Grand Avenue, Suite 3200
Los Angeles, CA 90071-3406

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

THE SOCIETY OF LLOYD'S,

Plaintiff,

v.

ROBERT C. BLACKWELL, SAMME JO BRADY, COCO ALEXANDRA ELIZABETH CARTER, JOHN R. DOUGERY, JOSEPH MELVIN GAGLIARDI, HARRY WALTER GORST, FREDERICK GORDON GRAEBER, MICHAEL CALVIN HIRSH, IVARS RALPH JANIEKS, ROWLAND WILLIAM JOHNSTON, WILLIAM DOBSON KILDUFF, JANE ELIZABETH LAMB, DONALD RUDOLPH LAUB, FRANK F. S. LIN, ROBERT KRAMER LOWRY, GEOFFREY O. MAVIS, WILLIAM FENTON MILLER JR., ROBERT MARSHALL MORTON, CHARLES WEBB OTT, RICHARD DAVID ROSENBLATT, RONALD GEORGE SPENO, ROBERT LYNN SWISHER, STEPHEN JOHN WILSEY, PETER FRANCIS ZINSLI, DOES 1-100 AS PERSONAL REPRESENTATIVES, BENEFICIARIES AND TRUSTEES OF THE TRUST OF ALFRED VERNE BALLARD'S ESTATE, DOES 1-100 AS PERSONAL REPRESENTATIVES, BENEFICIARIES AND TRUSTEES OF THE TRUST OF DELMAR ABSHER BRADY'S ESTATE,

Defendants.

Case No. 02 CV 0448 J (AJB)

PLAINTIFF THE SOCIETY OF LLOYD'S NOTICE OF MOTION FOR SUMMARY JUDGMENT PURSUANT TO FED. R. CIV. P. 56 AGAINST DEFENDANTS ROBERT C. BLACKWELL, SAMME JO BRADY, JOHN R. DOUGERY, JOSEPH M. GAGLIARDI, HARRY W. GORST, FREDERICK G. GRAEBER, MICHAEL C. HIRSH, IVARS R. JANIEKS, WILLIAM D. KILDUFF, JANE E. LAMB, DONALD R. LAUB, GEOFFREY O. MAVIS, WILLIAM F. MILLER, JR., ROBERT M. MORTON, CHARLES W. OTT, RONALD G. SPENO, STEPHEN J. WILSEY, PETER F. ZINSLI

Date: October 28, 2002
Time: 10:30 a.m.
Courtroom: 2nd Floor, Room 12
Honorable Napoleon A. Jones, Jr.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on October 28, 2002 at 10:30 a.m., or as soon thereafter as the matter can be heard by the above-entitled Court, located at 880 Front Street, San Diego, California 92110, Second Floor, Room 12, Plaintiff The Society of Lloyd's ("Plaintiff") will and hereby does move the Court for summary judgment in favor of Plaintiff and against Defendants Robert C. Blackwell, Samme Jo Brady, John R. Dougery, Joseph M. Gagliardi, Harry W. Gorst, Frederick G. Graeber, Michael C. Hirsh, Ivars R. Janieks, William D. Kilduff, Jane E. Lamb, Donald R. Laub, Geoffrey O. Mavis, William F. Miller Jr., Robert M. Morton, Charles W. Ott, Ronald G. Speno, Stephen J. Wilsey and Peter F. Zinsli (collectively, the "Defendants").

Pursuant to said motion, Plaintiff seeks recognition and enforcement, under California's Uniform Foreign Money Judgment Recognition Act (the "Recognition Act"), California Code of Civil Procedure §§ 1713 *et seq.*, of final judgments entered by the High Court of Justice, Queen's Bench Division in London, England against each of the Defendants (the "Judgments").

This motion is made upon the ground that there is no genuine issue of any material fact, and that, as a matter of law, each of the criteria for recognition of the Judgments in the Recognition Act is satisfied and none of the statutory bases for non-recognition exist.

This motion is also made on the ground that the Judgments are entitled to full recognition and enforcement pursuant to traditional principles of international comity as understood and applied by the courts of the United States and the State of California.

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This motion is based upon this Notice of Motion and Motion, the accompanying memorandum of Points and Authorities, the Separate Statement of Material Facts, the Declaration of Nicholas P. Demery, all pleadings and papers on file in this action, and upon such other matters as may be presented to the Court at the time of the hearing on this Motion.

DATED: August 13, 2002

Respectfully submitted,

Stephen D. Alexander
FRIED, FRANK, HARRIS, SHRIVER & JACOBSON

By: _____
Stephen D. Alexander
Attorneys for Plaintiff The Society of Lloyd's

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PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I am employed in the county of Los Angeles, State of California. I am over the age of eighteen years, and not a party to the within action. My business address is 350 South Grand Avenue, 32nd Floor, Los Angeles, California 90071.

On August 13, 2002, I served the following documents described as: **PLAINTIFF THE SOCIETY OF LLOYD'S NOTICE OF MOTION FOR SUMMARY JUDGMENT PURSUANT TO FED. R. CIV. P. 56 AGAINST DEFENDANTS ROBERT C. BLACKWELL, SAMME JO BRADY, JOHN R. DOUGERY, JOSEPH M. GAGLIARDI, HARRY W. GORST, FREDERICK G. GRAEBER, MICHAEL C. HIRSH, IVARS R. JANIEKS, WILLIAM D. KILDUFF, JANE E. LAMB, DONALD R. LAUB, GEOFFREY O. MAVIS, WILLIAM F. MILLER, JR., ROBERT M. MORTON, CHARLES W. OTT, RONALD G. SPENO, STEPHEN J. WILSEY, PETER F. ZINSLI** on the parties in this action by:

☐ **(BY PERSONAL SERVICE)** I placed such envelope to be delivered to the offices of the addressee.

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

☐ **BY FACSIMILE.** I sent such document from facsimile machine on August __, 2002. I certify that said transmission was completed and that all pages were received and that a report was generated by facsimile machine , which confirms said transmission and receipt. I, thereafter, mailed a copy to the interested party(ies) in this action by placing a true copy thereof enclosed in sealed envelope(s) addressed to the parties listed below.

☐ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Greg J. Ryan, Esq. Law Offices of Greg J. Ryan, APC 1010 Second Avenue, Ste. 2500 San Diego, CA 92101	Theodore W. Grippo, Jr., Esq. Lindenbaum Coffman, Kurlander Brisky & Grippo, Ltd Three First National Plaza, Ste. 2315 Chicago, Illinois 60602-4206

I declare that I am employed in the office of a member of the bar of this court whose direction the service was made.

Executed on August 13, 2002, at Los Angeles, California.

Patty Flores