

POS-010

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Matthew R. Bainer, 220972 SCOTT COLE & ASSOCIATES, APC 1970 BROADWAY STE 950 OAKLAND, CA 94612-2228 TELEPHONE NO.: (510) 891-9800 ATTORNEY FOR (Name): Plaintiff</p>	<p>FOR COURT USE ONLY ENDORSED FILED ALAMEDA COUNTY MAR 03 2008</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Superior Court of Alameda County 1225 Fallon St. #209 Oakland, CA 94612-4293</p>	<p>CLERK OF THE SUPERIOR COURT By Yolanda Smith, Deputy</p>
<p>PLAINTIFF/PETITIONER: Fletcher DEFENDANT/RESPONDENT: Bankers Life and Casualty Company</p>	<p>CASE NUMBER: RG08366328</p>
<p>PROOF OF SERVICE OF SUMMONS</p>	<p>Ref. No. or File No.: 52</p>

- At the time of service I was a citizen of the United States, at least 18 years of age and not a party to this action.
- I served copies of: Civil Case Cover Sheet, Summons, Complaint

BY FAX

3. a. Party served: **Bankers Life and Casualty Company**

b. Person Served: **Corporate Service Center of California, Inc. - Mia - Person authorized to accept service of process**

4. Address where the party was served: **2001 Wilshire Blvd. Ste. 505
Santa Monica, CA 90403**

5. I served the party

b. by substituted service. On (date): **February 1, 2008** at (time): **4:30 pm** I left the documents listed in item 2 with or in the presence of: **Corporate Service Center of California.**

(1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.

(4) A declaration of mailing is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

c. on behalf of:

Bankers Life and Casualty Company

under: **CCP 415.95 (Business Organization Form Unknown)**

7. Person who served papers

- Name: **John J Gonzalez**
- Address: **One Legal - 194-Marin
504 Redwood Blvd #223
Novato, CA 94947**
- Telephone number: **415-491-0606**
- The fee for service was: **\$ 90.50**
- I am:
 - registered California process server.
 - Employee or independent contractor.
 - Registration No.:
 - County **LOS ANGELES**

8. I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Date: **February 1, 2008**

John J Gonzalez

(NAME OF PERSON WHO SERVED PAPERS)

(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Matthew R. Bainer, 220972 SCOTT COLE & ASSOCIATES, APC 1970 BROADWAY STE 950 OAKLAND, CA 94612-2228		TELEPHONE NO.: (510) 891-9800	FOR COURT USE ONLY
ATTORNEY FOR (Name): Plaintiff		Ref. No. or File No. 52	
Insert name of court, judicial district or branch court, if any: Superior Court of Alameda County 1225 Fallon St. #209 Oakland, CA 94612-4293			
PLAINTIFF: Fletcher			
DEFENDANT: Bankers Life and Casualty Company			
PROOF OF SERVICE BY MAIL			CASE NUMBER: RG08366328

I am a citizen of the United States, over the age of 18 and not a party to the within action. My business address is 504 Redwood Blvd #223, Novato, CA 94947.

On February 1, 2008, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed copies of the:

Civil Case Cover Sheet, Summons, Complaint

BY FAX

to the person to be served at the place where the copies were left by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Los Angeles, CA, California, addressed as follows:

Bankers Life and Casualty Company
 Corporate Service Center of California, Inc. - Mia
 2001 Wilshire Blvd., Ste. 505
 Santa Monica, CA 90403

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid, 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 (1) day after date of deposit for mailing in affidavit.

§ 90.50

Solomon Rodriguez
 One Legal - 194-Marin
 504 Redwood Blvd #223
 Novato, CA 94947

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on February 1, 2008 at Los Angeles, California.



Solomon Rodriguez

SCOTT COLE & ASSOCIATES, APC
ATTORNEYS AT LAW
THE WACHOVIA TOWER
1970 BROADWAY, NINTH FLOOR
OAKLAND, CA 94612
TEL: (510) 891-9800

1 Scott Edward Cole, Esq. (S.B. #160744)
Matthew R. Bainer, Esq. (S.B. #220972)
2 Kevin R. Allen, Esq. (S.B. #237994)
3 **SCOTT COLE & ASSOCIATES, APC**
1970 Broadway, Ninth Floor
Oakland, California 94612
4 Telephone: (510) 891-9800
Facsimile: (510) 891-7030
5 web: www.scalaw.com

6 Attorneys for Representative Plaintiff
and the Plaintiff Class
7

8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF ALAMEDA**

11 ROBIN FLETCHER, individually, and on)
behalf of all others similarly situated,)
12 Plaintiffs,)
13 vs.)
14 BANKERS LIFE AND CASUALTY)
COMPANY, and DOES 1 through 100,)
15 inclusive,)
16 Defendants.)
_____)

Case No.:

CLASS ACTION

PROOF OF SERVICE

**ENDORSED
FILED
ALAMEDA COUNTY**

MAR 08 2003

CLERK OF THE SUPERIOR COURT
By Yolanda Smith, Deputy

SCOTT COLE & ASSOCIATES, APC
ATTORNEYS AT LAW
THE WACHOVIA TOWER
1970 BROADWAY, NINTH FLOOR
OAKLAND, CA 94612
TEL: (510) 891-9800

1 **PROOF OF SERVICE**

2 I am over 18 years of age and not a party to the within entitled action. I am employed at and my
3 business address is the law offices of Scott Cole & Associates, A Professional Corporation, 1970
Broadway, Ninth Floor, Oakland, California 94612. On this date, I served a copy of:

4 **PROOF OF SERVICE OF SUMMONS**

5 on the attorney(s) for the parties to this action by the following method(s):

6 by placing one true copy thereof enclosed in a sealed envelope, and serving same as follows:

7 by personally delivering same addressed as shown below, to an attorney, as indicated
8 below, at the indicated address and serving same in accordance with CCP § 1011(a)
9 by leaving same at the attorney's office, with the envelope being clearly labeled, as
below, to indicate the attorney(s) being served, with a receptionist or with a person
having charge thereof;

10 by placing same, with postage fully prepaid, in the United States Mail, addressed as
11 indicated below. I am readily familiar with the practices of these law offices for
12 collection and processing of correspondence for mailing with the United States Postal
Service. Such correspondence is deposited with the United States Postal Service in
the same day in the ordinary course of business.

13 by sending same via telefacsimile transmission, to the telephone number of the
14 attorneys-of-record, as shown below.

15 Name of Attorney(s)

16 Bankers Life and Casualty
17 Corporate Service Center of California
2001 Wilshire Blvd., Suite 505
Santa Monica, CA 90403

18 I declare under penalty of perjury under the laws of the state of California that the foregoing
19 is true and correct. Executed at Oakland, California, on February 28, 2007.

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21 JOSEPH QUAN
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