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IN THE UNITED STATES DISTRICT COURT
IN THE DISTRICT COURT OF ARIZONA
PHOENIX DIVISION

MARVIN SAPIRO and
GLORIA SAPIRO, his wife,

Plaintiffs,

vs.

SUNSTONE HOTEL INVESTORS, L.L.C.,
SUNSTONE HOTEL INVESTORS, L.P.,

Defendants.

CASE NO. CIV 03 1555 PHX SRB

NOTICE OF VIDEOTAPED
DEPOSITION PURSUANT
TO FED. R. CIV. P. 30

PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, and the parties' agreement, Plaintiffs will take the deposition of Dr. Richard H. Nierenburg on **December 21, 2005 at 10:00 a.m.** at 415 S. 28th Avenue, Hattiesburg, MS 39401. The deposition shall take place before a notary public or other officer authorized to administer oaths and record testimony pursuant to Rule 28 of the Federal Rules of Civil Procedure. The

1 deposition will continue from day to day until complete, excluding Saturdays, Sundays, and
2 holidays, and will be recorded by stenographic means.

3 Dated: December 1, 2005

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5 **BOIES, SCHILLER & FLEXNER LLP**

6 By: 

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DECLARATION OF SERVICE

I, the undersigned, declare as follows:

I am employed in the County of Miami-Dade, State of Florida; I am over the age of eighteen years and am not a party to this action; my business address is Suite 2800, 100 S.E. 2nd Street, Miami, Florida, 33131, in said County and State; on December 1, 2005, I served the within:

NOTICE OF DEPOSITION PURSUANT TO FED. R. CIV. P. 30

By United States Mail, to each of the persons named below at the addresses indicated:

Matthew Kliefeld
Scott I. Gruber
Bess Kunz
3838 N. Central Avenue, Suite 1500
Phoenix, AZ 85012
Fax No. (602) 331-8600

Attorney for Defendants SUNSTONE
HOTEL INVESTORS, L.L.C.;
SUNSTONE HOTEL INVESTORS,
L.P.

BY MAIL: I placed a true copy in a sealed envelope addressed as indicated above, on the above-mentioned date. I am familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of 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 PERSONAL SERVICE: I placed a true copy in a sealed envelope addressed to each person[s] named at the address[es] shown and giving same to a messenger for personal delivery before 5:00 p.m. on the above-mentioned date.

BY FACSIMILE: From facsimile machine telephone number (305) 539-1307, on the above-mentioned date, I served a full and complete copy of the above-referenced document[s] by facsimile transmission to the person[s] at the number[s] indicated.

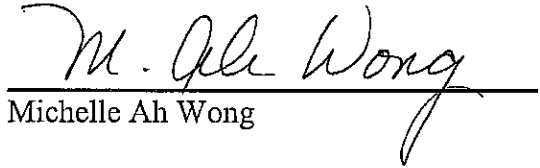
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BY FEDERAL EXPRESS NEXT DAY AIR: I placed a true copy in a sealed envelope addressed as indicated above, on the above-mentioned date. I am familiar with the firm's practice of collection and processing correspondence for delivery by Federal Express. Pursuant to that practice, envelopes placed for collection at designated locations during designated hours are delivered to Federal Express with a fully completed airbill, under which all delivery charges are paid by Boies, Schiller & Flexner LLP, that same day in the ordinary course of business.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that the foregoing document(s) were printed on recycled paper.

(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.

Executed on December 1, 2005, at Miami, Florida.


Michelle Ah Wong