IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA SECOND APPELLATE DISTRICT, DIVISION ONE

THE ASSOCIATION OF CALIFORNIA INSURANCE COMPANIES, THE PERSONAL INSURANCE FEDERATION OF CALIFORNIA, AND THE AMERICAN INSURANCE ASSOCIATION

Petitioners/Plaintiffs and Appellants,

v.

STEVEN POIZNER, COMMISSIONER OF INSURANCE OF THE STATE OF CALIFORNIA, ET AL.

Respondents/Defendants and Respondents,

Appeal from the Los Angeles County Superior Court Honorable James C. Chalfant Case No. BS109154

NOTICE OF ASSOCIATION OF COUNSEL

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The Foundation for Taxpayer and Consumer Rights

Harvey Rosenfield and Pamela M. Pressley of Consumer Watchdog,¹ counsel of record for intervenor and respondent, The Foundation for Taxpayer and Consumer Rights, hereby associates Richard A. Marcantonio and Public Advocates, Inc., 131 Steuart Street, Suite 300, San Francisco, CA 94105, (415) 431-7430, as co-counsel for the purpose of representing intervenor and respondent on appeal. Henceforth all briefs, notices, and other documents pertaining to this appeal should be served on both Consumer Watchdog counsel and Public Advocates.

Dated: May 5, 2009

Respectfully Submitted

Harvey Rosenfield Pamela Pressley Todd Foreman Consumer Watchdog

BY:

Pamela Pressleý

Attorneys for Intervenor and Respondent

Dated: May 4, 2009

Public Advocates, Inc.

BY:

Richard Marcantonio

Attorneys for Intervenor and Respondent

¹ The Foundation for Taxpayer and Consumer Rights (FTCR) changed its name to Consumer Watchdog in 2008. For consistency with the record below and Appellants' Opening Brief, intervenor and respondent will continue to refer to itself as FTCR throughout this appeal.

PROOF OF SERVICE [BY OVERNIGHT, U.S. OR INTRA-AGENCY MAIL, FAX TRANSMISSION AND/OR PERSONAL SERVICE]

State of California, City Santa Monica, County of Los Angeles

I am employed in the City of Santa Monica and County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 1750 Ocean Park Blvd., Suite #200, Santa Monica, California 90405, and I am employed in the city and county where this service is occurring.

On May 6, 2009, I caused service of true and correct copies of the following document:

NOTICE OF ASSOCIATION OF COUNSEL

upon the persons named in the attached service list, in the following manner:

- 1. If marked FAX SERVICE, by facsimile transmission this date to the FAX number stated to the person(s) named.
- 2. If marked U.S. MAIL or OVERNIGHT or HAND DELIVERED, by placing this date for collection for regular or overnight mailing true copies of the within document in sealed envelopes, addressed to each of the persons so listed. I am readily familiar with the regular practice of collection and processing of correspondence for mailing of U.S. Mail and for sending of Overnight mail. If mailed by U.S. Mail, these envelopes would be deposited this day in the ordinary course of business with the U.S. Postal Service. If mailed Overnight, these envelopes would be deposited this day in a box or other facility regularly maintained by the express service carrier, or delivered this day to an authorized courier or driver authorized by the express service carrier to receive documents, in the ordinary course of business, fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 6, 2009, at Santa Monica, California.

Carmen Aguado

SERVICE LIST

Person Served Method of Service Mark Richelson FAX Christine Zarifian U.S. MAIL Deputy Attorneys General OVERNIGHT MAIL OFFICE OF THE ATTORNEY GENERAL HAND DELIVERED 300 South Spring Street, Suite 1702 **EMAIL** Los Angeles, CA 90013 Tel: (213) 897-2478 Fax: (213) 897-5775 (Counsel for Respondents Insurance Commissioner, Steve Poizner and California Department of Insurance) **FAX** Robert Hogeboom X U.S. MAIL Michael A.S. Newman Suh Choi OVERNIGHT MAIL BARGER & WOLEN LLP HAND DELIVERED 633 West Fifth Street, 47th Floor **EMAIL** Los Angeles, CA 90071 Tel: (213) 680-2800 Fax: (213) 614-7399 (Counsel for Appellants ACIC, PIFC, AIA and PADIC) **FAX** David M. Axelrad U.S. MAIL Mitchell C. Tilner **OVERNIGHT MAIL** HORVITZ & LEVY LLP HAND DELIVERED 15760 Ventura Blvd., 18th Floor **EMAIL** Encino, CA 91436 Tel: (818) 995-0800 Fax: (818) 995-3157 (Counsel for Appellants ACIC, PIFC, AIA and PADIC) Honorable James C. Chalfant **FAX** Los Angeles Superior Court U.S. MAIL 111 North Hill Street, Dept. 85 OVERNIGHT MAIL HAND DELIVERED Los Angeles, CA 90012 **EMAIL**