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12

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 FOR THE COUNTY OF LOS ANGELES
15

16 CHARGERS FOOTBALL COMPANY,
17 LLC, a California limited liability company,

18 Plaintiff,

19 v.

20 CITY OF SAN DIEGO, a municipal
corporation,

21 Defendant.
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Case No. BC 306758

**CITY OF SAN DIEGO'S NOTICE OF
MOTION AND MOTION FOR
TRANSFER OF VENUE TO
SAN DIEGO COUNTY AND
REQUEST FOR ATTORNEYS' FEES**

Date: January 16, 2004 (Reserved)
Time: 9:00 a.m.
Dept: 51
Judge: Hon. Irving S. Feffer

Complaint Filed: November 25, 2003
Trial Date: None Set

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, at 9:00 a.m. on January 16, 2004, in Department 51 of the above-entitled court, located at 111 N. Hill Street, Los Angeles, California 90012, Defendant City of San Diego will and hereby does move the Court for an order transferring this action to the Central Division of the Superior Court of the State of California for the County of San Diego. This motion is made pursuant to California Code of Civil Procedure sections 396b(a) and 397(a) on the grounds that this court is not a proper court for trial, and the court to which the transfer is sought is a proper court.

PLEASE TAKE FURTHER NOTICE that City of San Diego will and hereby does seek an order directing the Chargers' attorneys at Skadden, Arps, Slate, Meagher & Flom, LLP to pay the sum of \$25,000.00 to City of San Diego for the reasonable expenses and attorneys' fees incurred in making this motion. This request for expenses and attorneys' fees is made pursuant to Code of Civil Procedure section 396b(b).

This motion and request will be based upon this notice, the attached memorandum of points and authorities and the declaration of Steven M. Strauss filed concurrently herewith, the reply brief and supporting papers, the argument of counsel at the time of the hearing, as well as on the complete files and records of this action and such other matters as the Court may consider at the time of the hearing.

DATED: December 5, 2003

PROCOPIO CORY HARGREAVES
& SAVITCH LLP

By: Steven M. Strauss
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