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California Anti-SLAPP Project

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October 5, 2007

Honorable Justices Nathan D. Mihara,
Richard J. McAdams, and Wendy C. Duffy
Court of Appeal, Sixth Appellate District
333 W. Santa Clara St., #1060
San Jose, CA 95113-1717

PERMISSION TO FILE GRANTED

~~Denied (RJM)~~
ACTING

Court of Appeal - Sixth App. Dist.
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OCT 9 - 2007

MICHAEL J. YERLY, Clerk

By _____
DEPUTY

Re: *Eagle Broadband, Inc. v. Mould*, No. H030719

Dear Honorable Justices:

On behalf of defendant and respondent Roy Thomas Mould, I hereby request leave to file this letter bringing to the Court's attention a new opinion which is relevant to the issues in the appeal of the fee award:

Cruz v. Ayromloo (2d.Dist., B190959, Oct. 3, 2007) ___ Cal.App.4th ___, 2007 WL 2873183, *4 (holding that it was not an abuse of discretion to award fees to parties entitled to fees for work which also benefitted parties who were not entitled to fees).

Sincerely,



Mark Goldowitz

MG/jr

encl: *Cruz v. Ayromloo*

cc: Karineh Khachatourian, Jeffrey Ratinoff