

1 DIVISION OF LABOR STANDARDS ENFORCEMENT  
2 Department of Industrial Relations  
3 State of California  
4 BY: MILES E. LOCKER, No. 103510  
5 455 Golden Gate Avenue, 9th Floor  
6 San Francisco, CA 94102  
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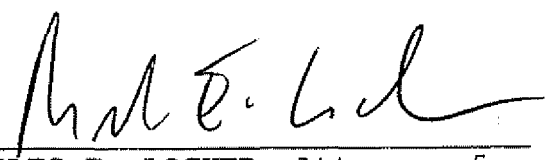
8 Attorney for the Labor Commissioner

9  
10 BEFORE THE LABOR COMMISSIONER  
11 OF THE STATE OF CALIFORNIA  
12

13 ELISHA CUTHBERT, an individual, ) TAC No. 09-05  
14 )  
15 Petitioner, )  
16 vs. ) DISMISSAL OF PETITION  
17 ) TO DETERMINE CONTROVERSY  
18 )  
19 WILLIAM MERCER, an individual; and )  
20 ROZON-MERCER MANAGEMENT, LLC, )  
21 )  
22 Respondents. )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

29 The above-captioned petition to determine controversy is  
30 hereby DISMISSED with prejudice on the ground that the matter has  
31 been settled by the parties.

32 DATE: 8/2/05

  
MILES E. LOCKER, Attorney for  
the Labor Commissioner

STATE OF CALIFORNIA  
DEPARTMENT OF INDUSTRIAL RELATIONS - DIVISION OF LABOR STANDARDS ENFORCEMENT

CERTIFICATION OF SERVICE BY MAIL  
(C.C.P. §1013a)

(Elisha Cuthbert v. William Mercer; Rozon-Mercer Management, LLC)  
(TAC 09-05)

I, MARY ANN E. GALAPON, do hereby certify that I am employed in the county of San Francisco, over 18 years of age, not a party to the within action, and that I am employed at and my business address is 455 Golden Gate Avenue, 9th Floor, San Francisco, CA 94102.

On August 2, 2005, I served the following document:

DISMISSAL OF PETITION TO DETERMINE CONTROVERSY

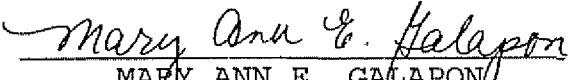
by placing a true copy thereof in envelope(s) addressed as follows:

MARTIN D. SINGER, ESQ.  
LAVELY & SINGER PROFESSIONAL CORPORATION  
2049 Century Park East, Suite 2400  
Los Angeles, CA 90067-2906

GREGORY J. ALDISER, ESQ.  
GREENBERG GLUSKER FIELDS CLAMAN  
MACHTINGER & KINSELLA LLP  
1900 Avenue of the Stars, 21<sup>st</sup> Floor  
Los Angeles, CA 90067-4590

and then sealing the envelope with postage thereon fully prepaid, depositing it in the United States mail in the city and county of San Francisco by ordinary first class mail.

I certify under penalty of perjury that the foregoing is true and correct. Executed on August 2, 2005, at San Francisco, California.

  
MARY ANN E. GALAPON