

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
SOUTHERN DIVISION**

JOHN O'BANNON, et al.,

Case No. AW-03-623

Plaintiffs,

**ST. PAUL MERCURY INSURANCE
COMPANY'S NOTICE OF MOTION
AND MOTION FOR SUMMARY
JUDGMENT**

v.

FRIEDMAN'S, INC., et al.

Defendants

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD HEREIN:

PLEASE TAKE NOTICE THAT Defendant St. Paul Mercury Insurance Company ("St. Paul") will and hereby does move this Court, pursuant to Federal Rule of Civil Procedure 56, to enter an Order granting St. Paul Summary Judgment on the Complaint herein against Plaintiffs John O'Bannon et al.

This Motion is made on the grounds that Friedman's breached the policy by giving St. Paul late notice of the subject claims, and that the Class Action Complaint claim was first made after expiration of both of the St. Paul policies or the claims relate to a claim first made prior to St. Paul's policy.

This Motion is based on this Notice, the accompanying Memorandum of Points and Authorities, the Stipulation of Facts, the Declarations of Mark S. Bentley and Carole Lofness, St. Paul's Statement of Undisputed Facts, all of the records and papers filed herein, and upon such oral and documentary evidence as may be presented at the hearing of this matter.

Dated: August 16, 2007

Respectfully submitted,

A

DAAR & NEWMAN
Professional Law Corporation

Jonathon
Adm

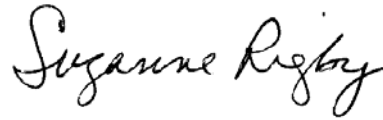
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