

MAY 17 2016

FILED  
Superior Court of California  
County of Los Angeles

MAY 12 2016

Sherri R. Carter, Executive Officer/Clerk  
By Kim E. Clark, Deputy  
Kim E. Clark

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12 *Counsel for Plaintiff and*  
13 *all others similarly situated*

FEE RECEIVED  
CHECKS 620992, 8705

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
15 **COUNTY OF LOS ANGELES**

16 LINDA RUBENSTEIN, on behalf of herself  
17 and all others similarly situated,  
18  
19 Plaintiffs,

20 v.

21 THE GAP, INC., a Delaware Corporation,  
22 and DOES 1-50, inclusive,  
23  
24 Defendants.

Case No. BC555010

Assigned to Hon. Kenneth Freeman,  
Dept. 310

**NOTICE OF APPEAL**

Complaint Filed: August 18, 2014

THIS IS A REPRINT OF THE ORIGINAL

CIT/CASE: BC555010  
LEA/DEF#:   
RECEIPT #: 00621771015  
DATE PAID: 05/12/16 02:52 PM  
PAYMENT: \$100.00 310  
RECEIVED:   
CHECK: \$100.00  
CASH: \$0.00  
CHANGE: \$0.00  
CARD: \$0.00

1 **TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS**  
2 **OF RECORD:**

3 **NOTICE IS HEREBY GIVEN** that plaintiff Linda Rubinstein, on behalf of herself and  
4 all others similarly situated, appeals from the Judgment of dismissal in favor of Defendant The  
5 Gap, Inc. after an order sustaining a demurrer in the above-captioned matter, which was entered  
6 on March 18, 2016.  
7

8 Dated: May 12, 2016

RESPECTFULLY SUBMITTED,

9  
10 **KIRTLAND & PACKARD LLP**  
Michael Louis Kelly  
Behram V. Parekh  
Joshua A. Fields

11  
12 By

  
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17 *Counsel for Plaintiff and*  
18 *all others similarly situated*  
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PROOF OF SERVICE  
 [CCP §§1010.6, 1011, 1013, 1013a, 2015.3; CRC 2.260, 2.306]  
 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, the undersigned, am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 2041 Rosecrans Avenue, 3<sup>rd</sup> Floor, El Segundo, California 90245. I am "readily familiar" with my employer's practice of collection and processing of correspondence and documents for mailing with the United States Postal Service, mailing via overnight delivery, transmission by facsimile machine, and delivery by hand.


On May 12, 2016, I served a copy of each of the documents listed below by placing said copies for processing as indicated herein: **NOTICE OF APPEAL**

✓	E-MAIL TRANSMISSION: The correspondence or documents were e-mailed from my place of business on this same date in the ordinary course of business prior to 6:00 p.m. Pacific Time using <a href="http://www.caseanywhere.com">www.caseanywhere.com</a> . -AND-
✓	U.S. MAIL: The correspondence or documents were placed in sealed, labeled envelopes with postage thereon fully prepaid on the above date and placed for collection and mailing at my place of business to be deposited with the U.S. Postal Service at El Segundo, California on this same date in the ordinary course of business.

**PERSONS OR PARTIES SERVED:**

<u>Counsel for Defendant</u> <u>The Gap</u>	Joseph Duffy Esther K. Ro Morgan, Lewis & Bockius LLP 300 S. Grand Ave, Twenty-Second Fl Los Angeles, CA 90071-3132	D 213-612-7378 tel 213-612-2500 fax 213-612-2501 <a href="mailto:jduffy@morganlewis.com">jduffy@morganlewis.com</a>
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✓	(State) I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed on May 12, 2016.
	(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

  
 \_\_\_\_\_  
 Marti F. Clark

LAW OFFICES  
**KIRTLAND & PACKARD LLP**