

1 SCHIFF HARDIN LLP  
 JOHN S. WORDEN (SBN 142943)  
 2 Email: jworden@schiffhardin.com  
 JEAN-PAUL P. CART (SBN 267516)  
 3 Email: jcart@schiffhardin.com  
 JAMIE LYNN LANPHEAR (SBN 302174)  
 4 Email: jlanphear@schiffhardin.com  
 One Market, Spear Street Tower  
 5 Thirty-Second Floor  
 San Francisco, CA 94105  
 6 Telephone: (415) 901-8700  
 Facsimile: (415) 901-8701  
 7

8 Attorneys for Defendant  
 Aqua Lung America, Inc.

9 UNITED STATES DISTRICT COURT  
 10 SOUTHERN DISTRICT OF CALIFORNIA

11 RALPH A. HUNTZINGER, on  
 12 Behalf of Himself and All Others  
 Similarly Situated,

13 Plaintiff,

14 v.

15 AQUA LUNG AMERICA, INC.,

16 Defendant.  
 17

Case No. 3:15-cv-01146 WQH (KSC)

**CLASS ACTION**

**DECLARATION OF JOHN S.  
 WORDEN IN SUPPORT OF  
 DEFENDANT’S MOTION TO DISMISS**

Hearing Date: August 17, 2015

**NO ORAL ARGUMENT UNLESS  
 REQUESTED BY THE COURT**

Complaint filed: May 21, 2015  
 Judge: Hon. William Q. Hayes  
 Magistrate Judge: Hon. Karen S. Crawford

Trial Date: None Set

21 I, John S. Worden, declare as follows:

22 I am an attorney licensed to practice law in California and in this federal  
 23 district and am a partner with Schiff Hardin LLP, counsel of record for Defendant  
 24 Aqua Lung America, Inc. I have full knowledge of, and am competent to testify  
 25 to, all matters stated herein.

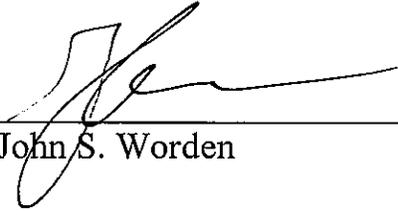
26 1. Attached hereto as “Exhibit A” is a true and correct copy of Judge  
 27 Feess’ September 16, 2013 Order Re: Motion to Dismiss in *Payam Ahdoot v.*  
 28 *Babolat VS North America*, CV 13-02823 GAF (VBKx).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1. Attached hereto as "Exhibit A" is a true and correct copy of Judge Feess' September 16, 2013 Order Re: Motion to Dismiss in *Payam Ahdoot v. Babolat VS North America*, CV 13-02823 GAF (VBKx).

I declare that the foregoing is true and correct to the best of my knowledge. Executed under penalty of perjury of the laws of California and of the United States of America.

Executed on July 9, 2015 in San Francisco, California.

  
\_\_\_\_\_  
John S. Worden

34080-0075  
SF321522736.1