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7 *Attorneys for Defendant*

8 **IN THE JUSTICE COURT OF THE STATE OF ARIZONA**
9 **IN AND FOR THE COUNTY OF MOHAVE**

10 CHRISTINE BAKER, an individual) Case No: 801-07-CV-2339-UN
11)
12 Plaintiff,) **SEPARATE STATEMENT OF**
13) **MATERIAL FACTS IN SUPPORT OF**
14 vs.) **DEFENDANT’S REPLY TO RESPONSE**
15) **TO MOTION TO DISMISS FOR LACK**
16) **OF SUBJECT MATTER JURISDICTION**
17 UNITED ONLINE INC., a California) **AND IMPORPER VENUE OR IN THE**
18 corporation,) **ALTERNATIVE MOTION FOR**
19) **SUMMARY JUDGMENT**
20 Defendant.)
21)
22)
23)
24)
25)
26)

Defendant UNITED ONLINE INC. herein, by and through undersigned counsel, in support of Defendant’s Reply to Motion to Dismiss for Lack of Subject Matter Jurisdiction and Improper Venue or in the Alternative Motion for Summary Judgment, hereby submits the following Separate Statement of Material Facts, pursuant to the provisions of Rule 56(c), Ariz.R.Civ.P.

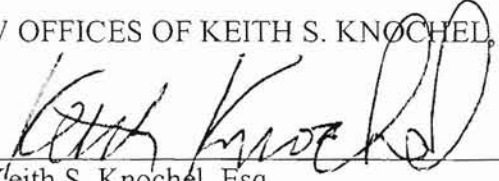
1. Plaintiff voluntarily entered into a contract with the Defendant in June of 2006. (See Plaintiff’s Statement of Facts, Paragraph 1), and the terms were reasonably within the contemplation of the Plaintiff.

2. The contract explicitly states that the rules of the contract will be governed by California law and that the exclusive personal jurisdiction of and venue for all disputes arising

1 out of the contract shall be the state and federal courts located in Los Angeles County,
2 California. (See Exhibit A, section 8.0 of Defendant's initial motion)

3 RESPECTFULLY SUBMITTED this 26th day of December, 2007.

4 LAW OFFICES OF KEITH S. KNOCHEL, P.C.

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6 By: 
7 Keith S. Knochel, Esq.
8 Attorney for Defendant

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14 An **ORIGINAL** and **ONE (1) COPY** of the
15 foregoing filed this 26th of December,
2007, with:

16 Clerk of Court
17 Mohave County Superior Court
18 P.O Box 29
524 W. Beale Street
Kingman, AZ 86402

19 A COPY of the foregoing mailed this 26th
20 day of December, 2007, to:

21 Christine Baker

22 
23 By: 
24 An Employee of the Law Offices of Keith S. Knochel, P.C.