	Case3:10-cv-02460-JSW Documen	tt <b>1.32</b> Filled	05//26//11	Page11.06133	
1 2 3 4 5 6 7 8	Craig M. Stainbrook, Calif. State Bar #160876 STAINBROOK & STAINBROOK, LLP 412 Aviation Boulevard, Suite H Santa Rosa, California 95403 707.578.9333 phone 707.578.3133 fax E-mail: <u>craig@northbay-iplaw.com</u> Robert B. Golden, admitted <i>pro hac vice</i> LACKENBACH SIEGEL LLP One Chase Road Scarsdale, New York 10583 914.723.4300 phone				
9	914.723.4301 fax E-mail: rgolden@LSLLP.com Attorneys for Defendants/Counterclaimants TOPPA EPPS, CAMMERON RIPLEY, EDWARD HAYMAN, and AAUSA, LLC UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO				
10 11 12					
13 14 15					
16	ROBERT L. CAZET, an individual, et al.				
17 18 19	Plaintiffs, v.	CASE NO. C 10-0246			
20	TOPPA EPPS, an individual, et al.	INCORRE	CTLY FI	LED DOCUMENTS; S 114 THROUGH 119-4	
21 22	Defendants. TOPPA EPPS, an individual, et al.				
23	Counterclaimants,				
24	v.				
25	ROBERT L. CAZET, an individual, et al.				
26 27	Counterdefendants.				
28		]			

## **STIPULATION**

WHEREAS, on May 20, 2011, Defendants/Counterclaimants filed Defendants' Notice of Motion and Motion for Summary Judgment and Defendants' Memorandum of Points and Authorities in Support of Motion for Summary Judgment, and Declaration of Robert B. Golden in Support of Defendants' Motion for Summary Judgment, including Exhibits 1, 3-8, 10, 12-17, 20 and 21 thereto, now bearing ECF-CAND Doc Nos. 114 through 119-4.

WHEREAS, pursuant to Local Rule 79-5(b) and the Court's Protective Order for this case (See ECF Document No. 66), when electronically filed, the above-described papers could only have been lodged under seal or agreement of the parties, but were not.

WHEREAS, pursuant to the recommendation and request of the Court Clerk on May 26, 2011,
that if the parties did not disagree on withdrawal of the incorrectly filed documents, counsel for
Defendants should withdraw Defendants' Notice of Motion and Motion to Remove Incorrectly Filed
Documents; Docket Numbers 114 through 119-4, and file instead a Stipulation for same.

WHEREAS, the parties agree the documents should be withdrawn.

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1	<sup>1</sup> Now THEREFORE, the parties, through their respective attorneys of record	rd, hereby stipulate and agree			
2	that Defendants' Notice of Motion and Motion for Summary Judgment and Defendants'				
3	Memorandum of Points and Authorities in Support of Motion for Summary Judgment, and				
4	Declaration of Robert B. Golden in Support of Defendants' Motion for Summary Judgment, as filed				
5	on May 20, 2011, be permanently removed and deleted from the record.				
6	6				
7	7   DATED: May 26, 2011   STAINBROOK & STAINBRO	OOK, LLP			
8	8 By_/Craig M. Stainbrook/	,			
9	9 Craig M. Stainbrook				
10	10 Attorneys for Defenda	ms/Counterclaimants			
11	<sup>11</sup> Dated: May 26, 2011 SINGLER, NAPELL & D	ILLON. LLP			
12					
13	By /Bryan w. Dinon/				
14	14 Bryan W. Dillon Attorneys for Plaintiff	s/Counterdefendants			
15					
16	16				
17	17 ORDER				
18	<sup>18</sup> IT IS SO ORDERED.				
19	<sup>19</sup> Dated: May 27, 2011	Stort -			
20	Honoral effey	S. White			
21	United States Distr	rict Judge			
22	22				
23	23				
24	24				
25	25				
26	26				
27	27				
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		lation to Remove Incorrectly Filed			
		Documents; Docket Nos. 114-119			