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*Attorneys for Defendant and Cross-Claimant
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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

STEPHAN JENKINS, an individual; THIRD EYE BLIND, INC., a California corporation; 3EB TOURING, INC., a California corporation; and STEPHAN JENKINS PRODUCTIONS, INC., a California corporation,

Plaintiffs,

VS.

THOMAS IRVING MANDELBAUM, an individual; SELVERNE, MANDELBAUM & MINTZ, LLP, a New York limited liability partnership; HISCOCK & BARCLAY, LLP, a New York limited liability partnership; and DOES 1 through 500, inclusive,

Defendants.

Case No.: CV-11-0211 EMC

**STIPULATION RE: DISMISSAL WITH
PREJUDICE OF ENTIRE ACTION;
[PROPOSED] ORDER**

(E-filing)

1 HISCOCK & BARCLAY, LLP, a New York
2 limited liability partnership,

3 Counter-Claimant,

4 vs.

5 STEPHAN JENKINS, an individual; THIRD
6 EYE BLIND, INC., a California corporation;
7 3EB TOURING, INC., a California
corporation; and STEPHAN JENKINS
PRODUCTIONS, INC., a California
corporation,

8 Counter-Defendants.

9
10 IT IS HEREBY STIPULATED by and between all of the remaining parties to the above
11 action, by and through their respective attorneys, that the action is hereby dismissed, in its
12 entirety, with prejudice, each party to bear its own attorneys' fees and costs.

13
14 MURPHY, PEARSON, BRADLEY & FEENEY

15 Dated: September 4, 2013

16 By: /s/

17 James Murphy
Attorneys for Defendant and Cross-Claimant
Hiscock & Barclay, LLP

18
19 IDELL & SEITEL LLP

20 Dated: September 4, 2013

21 By: /s/

22 Richard Idell
Ory Sandel
Attorneys for Plaintiffs and Counter-Defendants
Stephan Jenkins, Third Eye Blind, Inc., 3EB
Touring, Inc. and Stephan Jenkins Productions, Inc.

1 **ATTESTATION OF CONCURRENCE**
2

3 I, Richard J. Idell, as the ECF user and filer of this document, attest that, pursuant to
4 General Order No. 45(X)(B), concurrence in the filing of this document has been obtained from
5 James Murphy, the above signatory.

6 IDELL & SEITEL LLP
7

8 Dated: September 4, 2013

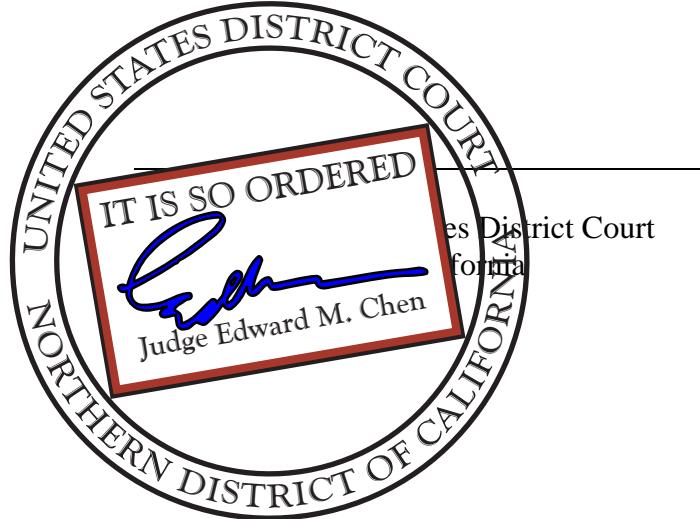
9 By: /s/
10 Richard Idell
11 Ory Sandel
12 *Attorneys for Plaintiffs and Counter-Defendants*
13 *Stephan Jenkins, Third Eye Blind, Inc., 3EB*
14 *Touring, Inc. and Stephan Jenkins Productions, Inc.*

15 **[PROPOSED] ORDER**
16

17 PURSUANT TO THE ABOVE STIPULATION, IT IS HEREBY ORDERED that this
18 action is hereby dismissed, in its entirety, with prejudice, each party to bear its own attorneys'
19 fees and costs.

20 9/9/13

21 Dated: _____



1 PROOF OF SERVICE

2 I am employed in the City and County of San Francisco, State of California in the office
3 of a member of the bar of this court at whose direction the following service was made. I am
4 over the age of eighteen years and not a party to the within action. My business address is Idell
& Seitel LLP, 465 California Street, Suite 300, San Francisco, California 94104.

5 On September 4, 2013, I served the following document(s):

6 **STIPULATION RE: DISMISSAL WITH PREJUDICE OF ENTIRE ACTION;**
7 **[PROPOSED] ORDER**

8 by regular **UNITED STATES MAIL** by placing a true and correct in a sealed
9 envelope addressed as shown below. I am readily familiar with the practice of Idell &
10 Seitel, LLP for collection and processing of correspondence for mailing. According to
11 that practice, items are deposited with the United States Postal Service at San Francisco,
12 California on that same day with postage thereon fully prepaid. I am aware that, on
13 motion of the party served, service is presumed invalid if the postal cancellation date or
the postage meter date is more than one day after the date of the deposit for mailing
stated in this affidavit.

14 JAMES A. MURPHY
15 JOHN PAUL GIRARDE
16 MURPHY, PEARSON, BRADLEY & FEENEY
17 88 Kearney Street, 10th Floor
18 San Francisco, California 94108-5530

19 I certify and declare under penalty of perjury under the laws of the State of California that
20 the foregoing is true and correct, that I am employed in the office of an attorney qualified to
21 practice in this court, and that I executed this declaration at San Francisco, California.

22 
23 Kelly L. Montgomery