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*Stephan Jenkins, Third Eye Blind, Inc., 3EB*  
*Touring, Inc. and Stephan Jenkins Productions, Inc.*

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*Attorneys for Defendant and Cross-Claimant*  
*Hiscock & Barclay, LLP*

**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)

Hon. Edward M. Chen, Presiding

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

Counter-Claimant,

vs.

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,

Counter-Defendants.

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

MURPHY, PEARSON, BRADLEY & FEENEY

Dated: September 4, 2013

By: /s/  
James Murphy  
*Attorneys for Defendant and Cross-Claimant  
Hiscock & Barclay, LLP*

IDELL & SEITEL LLP

Dated: September 4, 2013

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

**ATTESTATION OF CONCURRENCE**

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

IDELL & SEITEL LLP

Dated: September 4, 2013

By: /s/

Richard Idell

Ory Sandel

*Attorneys for Plaintiffs and Counter-Defendants*

*Stephan Jenkins, Third Eye Blind, Inc., 3EB*

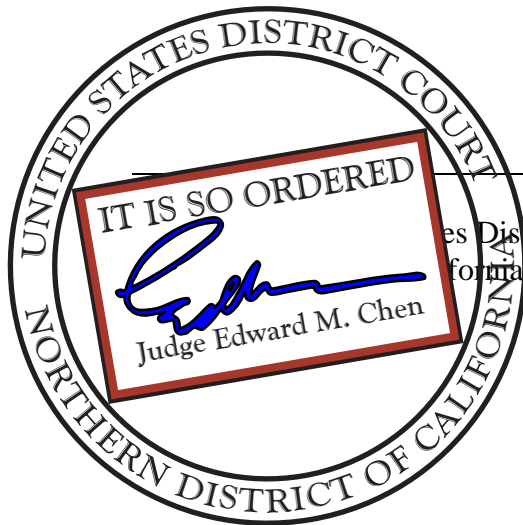
*Touring, Inc. and Stephan Jenkins Productions, Inc.*

**[PROPOSED] ORDER**

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

9/9/13

Dated: \_\_\_\_\_



es District Court  
for ma

**PROOF OF SERVICE**

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am 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.

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

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

☒ by regular **UNITED STATES MAIL** by placing a true and correct in a sealed envelope addressed as shown below. I am readily familiar with the practice of Idell & Seitel, LLP for collection and processing of correspondence for mailing. According to that practice, items are deposited with the United States Postal Service at San Francisco, California on that same day with postage thereon fully prepaid. I am aware that, on 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.

JAMES A. MURPHY  
JOHN PAUL GIRARDE  
MURPHY, PEARSON, BRADLEY & FEENEY  
88 Kearney Street, 10<sup>th</sup> Floor  
San Francisco, California 94108-5530

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

  
\_\_\_\_\_  
Kelly L. Montgomery