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5 Attorneys for Defendants
 6 R/M VACAVILLE LTD.

7
 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

11 BYRON CHAPMAN,

12 Plaintiff,

13 v.

14 PIER 1 IMPORTS (U.S.), INC. dba PIER
 15 1 IMPORTS #1132; R/M VACAVILLE
 LTD; and DOES 1 through 10,

16 Defendant.

Case No. CIV.S-04-1339 LKK DAD

STIPULATION AND ORDER

Date of Filing: July 13, 2004

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 19 The parties hereto stipulate that as a result of the settlement agreement entered into
 20 between Plaintiff BRYON CHAPMAN and Defendant R/M VACAVILLE LTD, the Plaintiff is
 21 dismissing with prejudice all claims related to or associated with the common areas and the
 22 exterior of the building located on Harbison Drive, Vacaville, California. It is further understood
 23 and agreed that the outstanding litigation between Plaintiff and Defendant PIER 1 IMPORTS
 24 shall be limited to the interior of the PIER 1 IMPORTS business located on Harbison Drive,

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TRAINOR ROBERTSON
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1 Vacaville, California, and that PIER 1 IMPORTS shall not file any actions or cross-actions
2 against R/M VACAVILLE LTD related to or associated with this matter.

3 IT IS SO STIPULATED.

4 Dated: June 21, 2005

LAW OFFICES OF LYNN HUBBARD

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By: /s/ Lynn Hubbard, III

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LYNN HUBBARD, III

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Attorneys for Plaintiff

BYRON CHAPMAN

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Dated: June 21, 2005.

TRAINOR ROBERTSON

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By: /s/ Daniel M. Steinberg

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DANIEL M. STEINBERG

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Attorneys for Defendant

R/M VACAVILLE LTD

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IT IS SO ORDERED.

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Dated: September 13, 2005

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/s/Lawrence K. Karlton

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Lawrence K. Karlton

Senior Judge

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