

1 Scott D. Reep, Esq. (SBN 136202)
 2 Stephen Gizzi, Esq. (SBN 227574)
 3 GIZZI & REEP, LLP
 4 940 Adams Street, Suite A.
 5 Benicia, California, 94510
 6 Phone: 707.748.0900
 7 Fax: 707.748.0921
 8 Email: scott@solanolawgroup.com

9 Attorneys for Plaintiff PIETER AREND FOLKENS, dba
 10 A HIGHER PORPOISE DESIGN GROUP

11 Robert F. Helfing, Esq. (SBN 90418)
 12 SEDGWICK LLP
 13 801 S. Figueroa Street 19th Floor
 14 Los Angeles, California, 90017-5556
 15 Phone: 213.426.6900
 16 Fax: 877.547.6580
 17 Email: robert.helfing@sedgwicklaw.com

18 Attorney for Defendants WYLAND; WYLAND WORLDWIDE, LLC;
 19 WYLAND GALLERIES, INC.; and SIGNATURE GALLERY GROUP, INC.

20 **UNITED STATES DISTRICT COURT**
 21 **EASTERN DISTRICT OF CALIFORNIA**
 22 **SACRAMENTO DIVISION**

23 PIETER AREND FOLKENS, dba A
 24 HIGHER PORPOISE DESIGN GROUP;

25 Plaintiff,

26 vs.

27 WYLAND (NFN), aka ROBERT THOMAS
 28 WYLAND, an individual, WYLAND
 WORLDWIDE, LLC, a California
 Corporation, WYLAND GALLERIES, INC.,
 a California Corporation, SIGNATURE
 GALLERY GROUP, INC., a Nevada
 Corporation, dba WYLAND GALLERIES
 and DOES 1 through 50, inclusive;

Defendant.

Case No.: 2:14-CV-02197-GEB-CKD

**STIPULATION TO DISMISS
 PLAINTIFF'S SECOND AND THIRD
 CAUSE OF ACTION; ORDER
 GRANTING DISMISSAL**

[FRCP 41(a)(2)]

1 **STIPULATION**

2 The Parties by and through their respective counsel of record agree and stipulate as follows:

- 3 1. Plaintiff hereby seeks to dismiss the First Amended Complaint's Second Cause of Action
4 for Breach of Contract (Settlement Agreement), without prejudice. Each party stipulates
5 that each party shall be responsible for their own fees, costs and expenses related to the
6 litigation. No further actions will be undertaken relating to the claims in the First
7 Amended Complaint by any parties, except as reflected by further stipulation of the
8 parties.
- 9 2. Plaintiff hereby seeks to dismiss the First Amended Complaint's Third Cause of Action
10 for Declaratory Relief, without prejudice. Each party stipulates that each party shall be
11 responsible for their own fees, costs and expenses related to the litigation. No further
12 actions will be undertaken relating to the claims in the First Amended Complaint by any
13 parties, except as reflected by further stipulation of the parties.

14
15 **IT IS SO STIPULATED AND AGREED.**

16
17 DATED: May 13, 2016

GIZZI & REEP, LLP

18 By _____ /S/ Scott D. Reep, Esq.

19 Scott D. Reep, Esq.

20 Attorney for Plaintiff PIETER AREND FOLKENS dba A
21 HIGHER PORPOISE DESIGN GROUP

22
23 DATED: May 13, 2016

SEDWICK, LLP

24 By _____ /S/ Caroline Mankey, Esq.

25 Caroline Mankey, Esq.

26 Attorney for Defendants WYLAND; WYLAND
27 WORLDWIDE, LLC; WYLAND GALLERIES, INC.; and
28 SIGNATURE GALLERY GROUP, INC.

1 **ORDER**

2 Good cause appearing, and the parties having stipulated and agreed,

3
4 IT IS HEREBY ORDERED that Plaintiff PIETER AREND FOLKENS, dba A HIGHER
5 PORPOISE DESIGN GROUP's claims asserted in the Second Cause of Action and Third Cause of
6 Action against Defendants WYLAND (NFN), aka ROBERT THOMAS WYLAND, an individual,
7 WYLAND WORLDWIDE, LLC, a California Corporation, WYLAND GALLERIES, INC., a
8 California Corporation, SIGNATURE GALLERY GROUP, INC., a Nevada Corporation, dba
9 WYLAND GALLERIES and DOES 1 through 50, inclusive as set forth in the First Amended Complaint
10 filed in Case No.: 2:14-CV-02197-GEB-CKD are hereby dismissed without prejudice.

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12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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14 Dated: May 16, 2016

15 /s/ John A. Mendez _____
16 THE HONORABLE JOHN A. MENDEZ
17 UNITED STATES DISTRICT COURT JUDGE
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