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5 Attorneys for Plaintiff
 Rene Schaub
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 7 *Attorneys for Plaintiff*

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 9 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 10 SACRAMENTO DIVISION

11 RENE SCHAUB, an individual, for
 12 herself and doing business as Pathfinder
 Inventions,

13 Plaintiff,

14 vs.

15 ORCHARD YARN & THREAD CO.,
 16 INC., A New York corporation, doing
 business as LION BRAND YARN
 17 COMPANY,

18 Defendant.

Case No.: 17-cv-2330 TLN GGH

**STIPULATION TO DISMISS
 PATENT INFRINGEMENT CLAIM
 AND COUNTERCLAIM RE
 PATENT INVALIDITY**

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 20 Plaintiff/counterclaim defendant Rene Schaub (“Schaub”) and
 21 defendant/counterclaimant Orchard Yarn & Thread Co., Inc., through their counsel
 22 of record, hereby stipulate as follows, in response to the filing of
 23 defendant/counterclaimant’s counterclaim and motion to dismiss on grounds of
 24 improper venue, filed on July 17, 2018:

- 25 1. Plaintiff’s third claim for relief for patent infringement shall be
 26 dismissed without prejudice.
 27 2. The counterclaim shall be dismissed without prejudice.
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1 3. Defendant's motion to dismiss is withdrawn, and the hearing currently
2 scheduled on the motion shall be taken off calendar.

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4 Dated: August 16, 2018

5 LAW OFFICES
6 OF STEPHEN L. DAVIS

STAINBROOK & STAINBROOK LLP

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8 /Stephen L. Davis/
9 Stephen L. Davis
For Plaintiff Rene Schaub

/Craig M. Stainbrook/
Craig M. Stainbrook
For Defendant Orchard Yarn & Thread Co.

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ORDER

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13 IT IS SO ORDERED.


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15 Dated: August 20, 2018

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Troy L. Nunley
United States District Judge

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