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18 IN THE UNITED STATES DISTRICT COURT
19 FOR THE NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21
22 NEWCAL INDUSTRIES, INC., *et al.*,)
23)
24 Plaintiffs,)
25)
26 v.)
27 IKON OFFICE SOLUTIONS, *et al.*)
28)
29 Defendants.)
30 _____)

No. C 04-2776-JSW
**STIPULATION AND [PROPOSED] ORDER
FOR DISMISSAL OF RELATED ACTIONS
WITH PREJUDICE**
Fed. R. Civ. P. Rule 41(a)

STIPULATION AND [PROPOSED] ORDER FOR
DISMISSAL OF RELATED ACTIONS WITH PREJUDICE

NewCal Industries, Inc., et al. v. IKON Office Solutions, Inc., et al.
Case No. C-04-2776 JSW
Global Services, LLC. et al. v. IKON Office Solutions, Inc. et al.
Case No. C-10-5974 JSW

1	GLOBAL SERVICES, LLC, <i>et al.</i> ,)	5974 No. C 10- 5947 - JSW
2	Plaintiffs,)	
3	v.)	STIPULATION AND [PROPOSED] ORDER
4	IKON OFFICE SOLUTIONS, <i>et al.</i> ,)	FOR DISMISSAL OF RELATED ACTIONS
5	Defendants.)	WITH PREJUDICE
6	_____)	Fed. R. Civ. P. Rule 41(a)
7			Judge: Honorable Jeffrey S. White

8 Plaintiffs and Defendants in the above-captioned cases, through their respective counsel,
9 hereby stipulate pursuant to Rule 41(a) of the Federal Rules of Civil Procedure as follows.

10 1. *NewCal, Industries, Inc. et al. v. IKON Office Solutions, Inc. et al.* Case, No. C-04-
11 2776 JSW (“*NewCal*”), was filed on July 12, 2004 and is currently pending before this court.

12 2. *Global Services LLC, et al. v. IKON Office Solutions, Inc. et al.*, Case, No. C-10-
13 5874 JSW, (“*Global Services*”), was filed on December 30, 2010 and is currently pending before
14 this court.

15 3. *NewCal* and *Global Services* (together the “Litigation”) became related cases by the
16 Related Case Order filed in each case on February 1, 2011.

17 4. On December 3, 2012, the court signed and filed an order pursuant to stipulation of
18 the parties in both the *NewCal* and *Global Services* cases staying all matters pending finalization of
19 a settlement agreement between all parties in the Litigation. (Doc. Nos. 202 and 114)

20 5. The parties have now finalized the settlement agreement for the Litigation, and,
21 pursuant to the December 3, 2012 order, so advise the court.

22 6. All parties who have appeared hereby stipulate, pursuant to Rule 41(a)(1) of the
23 Federal Rules of Civil Procedure, to dismissal of both the *NewCal* and *Global Services* cases in
24 their entirety, with prejudice, on the conditions that:

- 25 a. each party shall bear its own costs and attorney fees; and
- 26 b. the court shall retain jurisdiction to adjudicate post-dismissal issues in the
- 27 Litigation, including enforcement of the settlement agreement and the Stipulated

STIPULATION AND [PROPOSED] ORDER FOR	<i>NewCal Industries, Inc., et al. v. IKON Office Solutions, Inc., et al.</i>
DISMISSAL OF RELATED ACTIONS WITH PREJUDICE	Case No. C-04-2776 JSW
	<i>Global Services, LLC. et al. v. IKON Office Solutions, Inc. et al.</i>
	Case No. C-10-5974 JSW

1 Protective Order for Related Cases entered on August 29, 2011 (Doc. Nos. 133 and
2 54).

3
4 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD:

5
6 Dated: January 4, 2013

CROWELL & MORING LLP

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8

By: _____ /s/ Shari R. Lahlou _____

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Shari R. Lahlou
Attorneys for Defendant
IKON Office Solutions, Inc.

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Dated: January 4, 2013

BINGHAM McCUTCHEN LLP

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By: _____ /s/ Brian C. Rocca _____

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Brian C. Rocca
Attorneys for Defendant
IKON Office Solutions, Inc.

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Dated: January 4, 2013

MUNGER TOLLES & OLSON LLP

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By: _____ /s/ Joseph D. Lee _____

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Joseph D. Lee
Attorneys for Defendant
General Electric Capital Corporation

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Dated: January 4, 2013

HENNEFER FINLEY & WOOD LLP

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By: _____ /s/ James A. Hennefer _____

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James A. Hennefer
Attorneys for Plaintiffs

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STIPULATION AND ~~PROPOSED~~ ORDER FOR
DISMISSAL OF RELATED ACTIONS WITH PREJUDICE

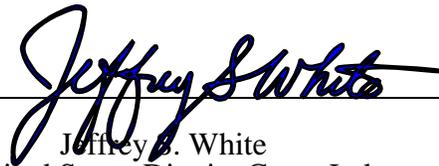
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IT IS SO ORDERED:

Dated: January 4, 2013

By _____



Jeffrey B. White
United States District Court Judge

STIPULATION AND ~~PROPOSED~~ ORDER FOR
DISMISSAL OF RELATED ACTIONS WITH PREJUDICE

NewCal Industries, Inc., et al. v. IKON Office Solutions, Inc., et al.
Case No. C-04-2776 JSW
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