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11 Attorneys for Defendants/Counter-Claimants,
 12 ADLER FELS WINERY LLC, SAAL
 13 BROWN, INC. dba PACIFIC LICENSING,
 14 INC., GARY SAAL AND TOM KELLEY STUDIOS, INC.

15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

18 NOVA WINES, INC.,
 19 Plaintiff,
 20 vs.

21 ADLER FELS WINERY LLC, a Minnesota
 22 corporation; SAAL BROWN, INC, a California
 23 corporation DBA PACIFIC LICENSING, GARY
 24 SAAL an individual; TOM KELLEY STUDIOS,
 25 INC., a California corporation
 26 Defendants.

27 ADLER FELS WINERY LLC, SAAL BROWN,
 28 INC., DBA PACIFIC LICENSING; GARY
 29 SAAL, TOM KELLEY STUDIOS, INC.,
 30 Counter-Claimants
 31 v.

32 NOVA WINES, INC., ROBERT HOLDER,
 33 DONNA HOLDER, CMG WORLDWIDE, INC.,
 34 MARILYN MONROE LLC, AND DOES 1 - 10,
 35 Counter-Defendants

) CASE NO.: C 06-6149 MHP
)
) Complaint Filed: September 29, 2006
)
) **STIPULATION AND [PROPOSED] ORDER**
) **DISMISSING REMAINING CLAIMS AND**
) **ENTIRE ACTION**
)
) **Pre-Trial Conf: TBD**
) **Time: 9:00 a.m.**
)
) **Trial Date: TBD**
) **Time: 9:00 a.m.**

36 **Case No. C 06-6149**

37 **STIPULATION AND [PROPOSED] ORDER**
 38 **DISMISSING REMAINING CLAIMS AND ENTIRE ACTION**

1 Plaintiff, NOVA WINES, INC., and Counter-Defendants ROBERT and DONNA HOLDER, and
2 Third Party Defendants, CMG WORLDWIDE, INC., and MARILYN MONROE LLC, on the one hand,
3 and Defendants/Counter-Claimants, ADLER FELS WINERY LLC, SAAL BROWN, INC. dba
4 PACIFIC LICENSING, INC., GARY SAAL AND TOM KELLEY STUDIOS, INC., on the other,
5 having previously stipulated to dismiss certain claims, *without prejudice*, with each party bearing its
6 own attorneys' fees and costs, hereby stipulate to dismiss all remaining claims and this entire action,
7 *without prejudice*, with each party bearing its own attorneys' fees and costs incurred in this action
8 through the date of dismissal, and with the Court retaining jurisdiction to enforce the terms of the
9 Settlement Agreement entered into among the parties to this action.

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11 IT IS SO STIPULATED:
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1 Dated: November 25, 2008

SHARTSIS FRIESE LLP

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3 By: /s/ Erick C. Howard
ERICK C. HOWARD

4 Attorneys for Plaintiff/Counter-Defendants,
5 NOVA WINES, INC., ROBERT HOLDER and DONNA
6 HOLDER

7 Dated: November 25, 2008

THE SONI LAW FIRM

8
9 By: /s/ M. Danton Richardson
10 M. DANTON RICHARDSON

11 Attorneys for Defendants/Counter-Claimants
12 ADLER FELS WINERY LLC,
13 SAAL BROWN, INC. dba PACIFIC LICENSING, INC.,
14 GARY SAAL AND TOM KELLEY STUDIOS, INC.

15 Dated: November 25, 2008

LOEB & LOEB LLP

16 By /s/ Laura A. Wytsma
17 LAURA A. WYTSMA

18 Attorneys for Third Party Defendant,
19 MARILYN MONROE LLC

20 Dated: November 25, 2008

SOVICH MINCH LLP

21
22 By /s/ Theodore J. Minch
23 THEODORE J. MINCH

24 Attorneys for Third Party Defendant,
25 CMG WORLDWIDE, INC.

1 **~~PROPOSED~~ ORDER**

2 Based on the stipulation of the parties, and good cause appearing therefor, all remaining claims
3 and this entire action are hereby dismissed without prejudice with each party bearing its own attorneys'
4 fees and costs incurred in this action through the date of dismissal. The Court shall retain jurisdiction to
5 enforce the terms of the Settlement Agreement entered into among the parties to this action.

6 **IT IS SO ORDERED**

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8 Dated: 12/1, 2008

UNITED STATES DISTRICT COURT

