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6 Attorneys for Plaintiff
 9201 SAN LEANDRO, LLC
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO

12 9201 SAN LEANDRO, LLC, a California
 limited liability company,
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 Plaintiff,
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 v.
 15 PRECISION CASTPARTS CORP., an Oregon
 corporation; PCC FLOW TECHNOLOGIES
 16 HOLDINGS, INC., a Delaware corporation; and
 DOES 1 THROUGH 25, inclusive,
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 Defendants.
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Case No.: 3:07-cv-04365-EDL

**STIPULATION AND [PROPOSED]
 ORDER FOR DISMISSAL OF
 CLAIMS AGAINST AND BY
 PRECISION CASTPARTS CORP.
 AND FOR SUBSTITUTION OF PCC
 FLOW TECHNOLOGIES, INC. AS A
 DEFENDANT IN PLACE OF
 PCC FLOW TECHNOLOGIES
 HOLDINGS, INC.**

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 20 Plaintiff 9201 San Leandro, LLC and Defendants Precision Castparts Corp. (“Precision”)
 21 and PCC Flow Technologies, Inc. (“PCC Flow”) (erroneously sued as PCC Flow Technologies
 22 Holdings, Inc.), through their respective attorneys of record, hereby stipulate and agree as
 23 follows:

24 1. Plaintiff hereby dismisses without prejudice all its claims against Precision in this
 25 action, and Precision hereby dismisses without prejudice all its counterclaims against Plaintiff in
 26 this action, with each of said parties to bear its own costs and attorneys’ fees.

27 2. PCC Flow has represented to Plaintiff that PCC Flow is a wholly-owned
 28 subsidiary of PCC Flow Technologies Holdings, Inc., and that PCC Flow, and not PCC Flow



1 Technologies Holdings, Inc., is the corporate successor of Paco Pumps, Inc. Based on those
2 representations, Plaintiff and PCC Flow agree to substitute PCC Flow as a defendant in this
3 action in place and instead of PCC Flow Technologies Holdings, Inc., and PCC Flow further
4 agrees to waive service of a summons and Plaintiff's Third Amended Complaint.

5 DATED: November 13, 2008 BARG COFFIN LEWIS & TRAPP, LLP

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By: /S/ Marc A. Zeppetello
MARC A. ZEPPELLO
Attorneys for Plaintiff
9201 SAN LEANDRO, LLC

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10 DATED: November 13, 2008 STOEL RIVES, LLP

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By: /S/ Scott J. Kaplan
SCOTT J. KAPLAN
Attorneys for Defendants
PRECISION CASTPARTS CORP. and
PCC FLOW TECHNOLOGIES, INC.

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16 **ATTESTATION REGARDING SIGNATURES**

17 In accordance with General Order 45, I hereby attest that concurrence in the filing of this
18 document has been obtained from the other signatory.

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BARG COFFIN LEWIS & TRAPP, LLP

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Dated: November 13, 2008 By: /S/ Marc A. Zeppetello
MARC A. ZEPPELLO

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[PROPOSED] ORDER

Pursuant to the stipulation of the parties and for good cause shown, IT IS HEREBY ORDERED:

1. Plaintiff's claims against Precision Castparts Corp. ("Precision") and Precision's counterclaims against Plaintiff are hereby dismissed without prejudice, with each party to bear its own costs and attorneys' fees.

2. PCC Flow Technologies, Inc. is hereby substituted as a defendant in place and instead of PCC Flow Technologies Holdings, Inc.

Dated: 11/17/08

Elizabeth D. Laporte
United States Magistrate Judge

