

1 SUBMITTING COUNSEL ON SIGNATURE PAGE

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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NAMCO BANDAI GAMES INC., a  
Japanese corporation, and NAMCO  
BANDAI GAMES AMERICA, INC., a  
Delaware corporation,

Case No. C 07-05674 MMC

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**STIPULATED PERMANENT INJUNCTION**

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Plaintiff,

**Action Filed:** November 8, 2007

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vs.

**Judge:** The Honorable Maxine M. Chesney

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EAGLE DISTRIBUTING INC., a Nevada  
corporation,

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Defendant.

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1 **STIPULATION**

2 In connection with their settlement of this action, plaintiffs NAMCO BANDAI Games Inc.  
3 and NAMCO BANDAI Games America, Inc. (collectively, "NAMCO") and defendant Eagle  
4 Distributing Inc. ("Eagle"), by and through their respective undersigned counsel, agree as follows:

5 1. Eagle and any other persons in active concert or participation with Eagle who  
6 receive actual notice of this Stipulated Injunction, by personal service or otherwise, are hereby  
7 permanently restrained and enjoined from directly or indirectly advertising, selling, or distributing  
8 any unauthorized products bearing and/or containing a NAMCO mark or copyright. The website  
9 page at <http://www.namcoamerica.com/dealers.php> lists the authorized dealers and distributors of  
10 NAMCO products in the United States.

11 2. This Stipulated Injunction shall not constitute entry of a final judgment against  
12 Eagle. Rather, after entry of this Stipulated Injunction, NAMCO shall file a stipulated dismissal  
13 with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), subject to the Court's  
14 continuing jurisdiction to reopen the action for purposes of enforcing this Stipulated Injunction  
15 and/or the parties' settlement.

16 Dated: December 29, 2008

SQUIRE, SANDERS & DEMPSEY L.L.P.

17 By: /s/ David S. Elkins

18 David S. Elkins  
Xavier M. Brandwajn

19 ATTORNEYS FOR PLAINTIFFS  
20 NAMCO BANDAI GAMES INC. AND  
NAMCO BANDAI GAMES AMERICA, INC.

21 Dated: December 29, 2008

MCKAY, GRAHAM & DE LORIMIER

22 By: /s/ Paul A. de Lorimier

23 Paul A. de Lorimier

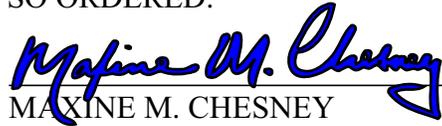
24 ATTORNEYS FOR DEFENDANT  
25 EAGLE DISTRIBUTING INC.

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**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 6, 2009



MAXINE M. CHESNEY  
UNITED STATES DISTRICT COURT JUDGE