

1 **Jason K. Singleton, State Bar #166170**  
 2 **jason@singletonlawgroup.com**  
**Richard E. Grabowski, State Bar #236207**  
 3 **rgrabowski@mckinleyville.net**  
**SINGLETON LAW GROUP**  
**611 "L" Street, Suite A**  
**Eureka, CA 95501**

4  
 5 **(707) 441-1177**  
**FAX 441-1533**

6 **Attorneys for Plaintiff, ASIS INTERNET SERVICES**

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10 **ASIS INTERNET SERVICES, a California**  
 11 **corporation**

12 **Plaintiff,**  
 13 **vs.**

14 **MEMBER SOURCE MEDIA, LLC, a California**  
 15 **limited liability company, et al.,**

16 **Defendants.**

**Case No. CV-08-1321 EMC**

**STIPULATION AND ORDER**

17 Plaintiff, ASIS INTERNET SERVICES, and Defendant, MEMBER SOURCE MEDIA,  
 18 hereby stipulate to the following:

- 19 1. Defendant Member Source Media, LLC ("Member Source") shall disclose to  
 20 Plaintiff Member Source's information regarding the identities of the entity or  
 21 entities believed to have initiated the subject emails.
- 22 2. Plaintiff is granted leave from the stay to amend the Complaint to name  
 23 additional entities as defendants, serve such new defendants and allow them to  
 24 appear for purposes of effecting an evidence preservation order.
- 25 3. After the new defendants have appeared, if there is discovery from third parties  
 26 not yet named in the action that are not subject to the preservation order, and  
 27 such discovery is necessary to the preservation of evidence, Plaintiff and  
 28 Defendants shall meet and confer to address the evidentiary concerns. Plaintiff

shall not serve any third-party subpoenas or other discovery without the consent of Defendants. If the parties cannot reach agreement regarding such evidentiary concerns, or regarding the contents of any third-party subpoenas or other discovery sought to be served by Plaintiff, either party may apply to the Court for a hearing regarding the same.

**SINGLETON LAW GROUP**

Dated: September 11, 2008

/s/ Jason K. Singleton  
Jason K. Singleton,  
Richard E. Grabowski, Attorneys for  
Plaintiff, ASIS INTERNET SERVICES

**KRONENBERGER BURGOYNE, LLP**

Dated: September 11, 2008

/s/ Henry M. Burgoyne, III  
Henry M. Burgoyne, III, Attorneys for  
Defendants, MEMBER SOURCE MEDIA, et al.

IT IS SO ORDERED:

Dated: September 15, 2008

EDWARD M. CHEN  
UNITED STATES MAGISTRATE JUDGE

