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7 Attorneys for Judgment Creditor and Plaintiff,  
 UNIVERSAL TRADING & INVESTMENT Co., Inc.  
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10 **UNITED STATES DISTRICT COURT**  
 11 **FOR NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)**

12 IN RE UNIVERSAL TRADING &  
 INVESTMENT CO. INC.,  
 13  
 Judgment Creditor  
 14  
 REGISTERED JUDGMENT FROM  
 ANOTHER DISTRICT  
 15  
 16

No. 08cv3632-CRB

**STIPULATION**

**ON TAKING HEARING ON MOTION  
 TO QUASH SERVICE OFF COURT'S  
 SCHEDULE ON CERTAIN AGREED  
 TERMS**

**AND**

17 UNIVERSAL TRADING &  
 INVESTMENT CO., INC.  
 18  
 Plaintiff, Judgment Creditor  
 19  
 v.  
 20  
 DUGSBERY, INC., et al.  
 21  
 Defendants  
 22  
 23

~~**(PROPOSED)**~~ **ORDER**

Date: December 12, 2008  
 Time: 10 A.M.  
 Court: 19<sup>th</sup> Floor, 8  
 Judge: The Hon. Charles R. Breyer

1 The present Stipulation is made between the parties Universal Trading & Investment Co.,  
2 Inc. (“UTICo”), on the one hand, and Mr. Paul Gully-Hart, on the other hand, with the purpose  
3 of saving judicial and the parties’ resources.

4 1. Service of process of the Summons and of the Verified Complaint in this action was made  
5 on Mr. Gully-Hart in Switzerland under the 1965 Hague Convention on Service Abroad  
6 in Civil and Commercial Matters by the authorized Central Authority in Switzerland.

7 2. On November 5, 2008, Mr. Gully-Hart filed a Motion to Quash Service on him (Docket  
8 32), based on his objection that he is and has not been a Trustee for any of the trusts  
9 identified in the Verified Complaint, and thus he was incorrectly served because he is not  
10 a named defendant in this action. On November 21, 2008, UTICo filed its Opposition, and  
11 the Motion is currently scheduled to be heard on December 12, 2008.

12 3. UTICo advised Mr. Gully-Hart that pursuant to the Court Order and leave in this case  
13 dated October 31, 2008, it intended to file the Amended Complaint on or before  
14 December 1, 2008, in which Mr. Paul Gully-Hart will be identified by name as a co-  
15 defendant, with the other defendants.

16 4. Based on the above, the stipulating parties agree that Mr. Gully-Hart’s Motion to Quash  
17 Service is hereby withdrawn and that the parties request the Court to take it off the court’s  
18 hearing schedule on December 12, 2008. If the Court accept this stipulation, Mr. Gully-  
19 Hart will not be required to respond to the Verified Complaint that was served on him on  
20 or about October 16, 2008.

21 5. The Stipulation will enter into force subject to, and at the time of, the Court’s approving  
22 it.

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DATED: November 26, 2008

ASPELIN & BRIDGMAN LLP

/s/ \_\_\_\_\_  
John H. Aspelin, Esq.  
Attorneys for Plaintiff Universal Trading &  
Investment Co.

Co-counsel *pro hac vice*:

/s/ \_\_\_\_\_  
George Lambert, Attorneys for  
Judgment Creditor and Plaintiff  
Universal Trading & Investment Co., Inc.

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1 November 26, 2008

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SIDEMAN & BANCROFT LLP

/s/ \_\_\_\_\_  
Richard J. Nelson, Esq.  
Attorneys for Mr. Paul Gully-Hart

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**IT IS SO ORDERED.**

Dated: Dec. 02, 2008

U.S. District Judge Charles R. Breyer

