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

10 IGUACU, INC.,

Case No. C 09-0380 RS (EMC)

11 Plaintiff,

**~~STIPULATION FOR ENTRY OF ORDER~~
 STAYING RIGHT TO ATTACH ORDER
 AND ORDER FOR ISSUANCE OF WRIT
 OF ATTACHMENT**

12 v.

13 ANTONIO CABRERA MANO FILHO,

14 Defendant.
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**~~STIPULATION FOR ENTRY OF ORDER~~ STAYING EXECUTION ON RIGHT TO ATTACH ORDER AND
 ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT - Case No. C-09-0380 RS (EMC)**

1 Defendant Antonio Cabrera Mano Filho ("Mr. Cabrera") and Plaintiff Iguacu, Inc.
2 ("Iguacu") (collectively, the "Parties") hereby stipulate to entry of an order staying enforcement
3 of the Right to Attach Order ("RTAO") issued *ex parte* by this Court pending a hearing on Mr.
4 Cabrera's objections and motion to vacate the RTAO. This Stipulation is based on the following
5 facts:

6 1. On May 20, 2010, the Court issued the RTAO *ex parte* in favor of Iguacu [Dkt.
7 No. 53]. The RTAO granted an attachment totaling approximately \$1.8 million, and provided
8 that "Any objection by Defendant to this Order shall be filed with the Court and served on
9 Plaintiff's counsel no later than thirty (30) days" after service in Brazil.

10 2. After Mr. Cabrera engaged local counsel, the parties stipulated that any objection
11 to the RTAO would be filed on or before June 30, 2010.

12 3. On June 30, 2010, Mr. Cabrera filed his Objections and a Motion to Vacate the
13 RTAO (the "Motion to Vacate").

14 4. According to the clerk of court, the first available hearing date for Mr. Cabrera's
15 Objections and Motion to Vacate is not until September 8, 2010. The Parties have discussed the
16 possibility of Mr. Cabrera filing an Ex Parte Application for Order Shortening Time for hearing
17 on the Objections and the Motion to Vacate. In lieu of such a motion, the Parties have agreed that
18 Iguacu will refrain from executing or levying on a Writ of Attachment until such time as Mr.
19 Cabrera has had the opportunity to be heard on the Objections and the Motion to Vacate. As a
20 result, Mr. Cabrera will not need to seek an order shortening time.

21 5. In consideration of the foregoing, the Parties hereby stipulate to entry of an order
22 stating that Iguacu shall not attempt to execute on or levy pursuant to any Writ of Attachment
23 until after Mr. Cabrera's Objections and Motion to Vacate have been heard, and this Court has
24 issued a ruling thereon. Currently, the hearing on the Objections and Motion to Vacate is
25 scheduled for September 8, 2010.

26 6. The Parties further stipulate that Iguacu shall have the right to terminate this
27 Stipulation and seek to enforce any Writ of Attachment issued pursuant thereto if the
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1 circumstances so justify, provided that Iguacu provides seven (7) days written notice to Mr.
2 Cabrera's counsel of its intention to terminate the Stipulation.

3 7. In the event that Iguacu provides Mr. Cabrera's counsel with notice of intent to
4 terminate this Stipulation, Mr. Cabrera shall have the right to seek relief from this Court,
5 including an order shortening time for an order staying enforcement of the RTAO and/or any Writ
6 of Attachment issued pursuant thereto, pending the outcome of the hearing on his Objections and
7 the Motion to Vacate.

8
9 IT IS SO STIPULATED.

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11 K&L GATES LLP

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13 Dated: July 1, 2010

14 By: /s/ Edward P. Sangster

15 Edward P. Sangster
16 Claudia A. Quiroz
17 Attorneys for Defendant ANTONIO
18 CABRERA MANO FILHO

19
20 SIDEMAN & BANCROFT, LLP

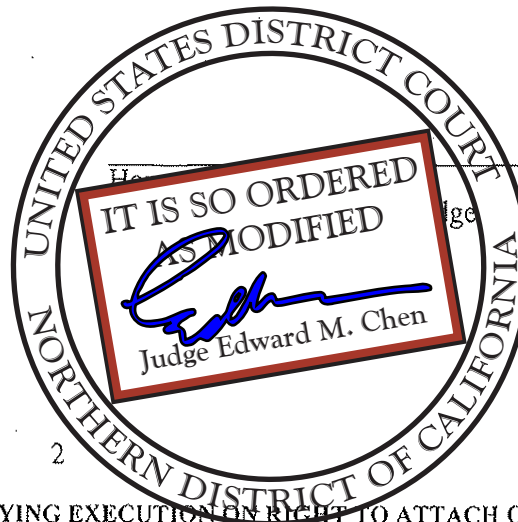
21 Dated: July 2, 2010

22 By: 

23 Robert R. Cross
24 Attorney for Plaintiff IGUACU, INC.

25 IT IS SO ORDERED.

26 Dated: 7/8, 2010



Other Documents3:09-cv-00380-RS Iguacu, Inc. v. Filho

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Northern District of California
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The following transaction was received from by Quiroz, Claudia entered on 7/2/2010 4:42 PM and filed on 7/2/2010

Case Name: Iguacu, Inc. v. Filho
Case Number: 3:09-cv-00380-RS
Filer: Antonio Cabrera Mano Filho
Document Number: 68

Docket Text:

STIPULATION for Entry of Order Staying Right to Attach Order and Order for Issuance of Writ of Attachment by Antonio Cabrera Mano Filho. (Quiroz, Claudia) (Filed on 7/2/2010)

3:09-cv-00380-RS Notice has been electronically mailed to:

Claudia Angelica Quiroz claudia.quiroz@klgates.com

Edward Patrick Sangster ed.sangster@klgates.com, gail.lapurja@klgates.com,
margarita.reyes@klgates.com

Robert Reeves Cross rcross@sideman.com, jorourke@sideman.com

3:09-cv-00380-RS Please see General Order 45 Section IX C.2 and D; Notice has NOT been electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:C:\fakepath\07-02-10 CABRERA Stipulation for Entyr of Order.pdf

Electronic document Stamp:

[STAMP CANDStamp_ID=977336130 [Date=7/2/2010] [FileNumber=6507185-0] [6af4d913e45481b5d4c748dfd5a7d194881f46b840fe60d66c6dda2956f2863e55d58f be839c8cac682bae3d2253ea96aecd8802358aa66cade8f49ec241df05]]
