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 20 BALTHASER ONLINE, INC.

21 **UNITED STATES DISTRICT COURT**  
 22 **NORTHERN DISTRICT OF CALIFORNIA**  
 23 **SAN FRANCISCO DIVISION**

24 BALTHASER ONLINE, INC.,  
 25 Plaintiff,

26 v.

27 HOOKUMU, INC, et al.  
 28 Defendants.

No. 3:09-cv-05422-RS (PSG)

**[PROPOSED] ORDER RE.  
 STIPULATION ON DISMISSAL OF  
 DEFENDANT HOOKUMU, INC.**

1           **WHEREAS**, (1) on November, 4, 2008, Plaintiff Balthaser Online, Inc. (“Balthaser”) filed a  
2 Complaint in the United States District Court for the Eastern District of Texas, Marshall Division,  
3 commencing Civil Action No. 2:08-cv-430 (DF) against, among others, Defendant Hookumu, Inc.  
4 (“HOOKUMU”); (2) on January 12, 2009, HOOKUMU filed an Answer to the Complaint,  
5 Affirmative Defenses, and Counterclaims; (3) on January 15, 2009, Balthaser filed a First Amended  
6 Complaint; (4) on February 5, 2009, HOOKUMU filed an Answer and Affirmative Defenses to the  
7 First Amended Complaint; (5) on September 15, 2009, an Order concerning California Defendants’  
8 Motion to Transfer Venue was issued transferring the action with respect to California Defendants,  
9 and certain other defendants, including HOOKUMU, to this District; (6) on November 17, 2009, the  
10 E.D. Texas Action was transferred to this District and assigned to the Honorable Patricia V.  
11 Trumbell; (7) on December 15, 2009, the above-styled action was reassigned to the Honorable  
12 Jeremy Fogel; and (8) on March 18, 2010, the above-styled action was reassigned to this Court.  
13  
14

15           **WHEREAS**, there no longer exists a dispute between Balthaser and HOOKUMU concerning  
16 all issues between them that were the subject of Civil Action No. 2:08-cv-430 (DF) and the above-  
17 styled action (collectively, the “Action”);

18           **WHEREAS**, Balthaser and HOOKUMU have filed a Stipulation of Dismissal (the  
19 “Stipulation”) with this Court advising the Court that a dispute no longer exists concerning all issues  
20 between them that were subject of this Action;  
21

22           **NOW, THEREFORE**, after considering the Stipulation, the Court is of the opinion that the  
23 Stipulation should be granted and therefore, it is hereby **ORDERED, ADJUDGED AND**  
24 **DECREED THAT:**

25           1.       All claims and counterclaims asserted by either party in the Action against the  
26 other are hereby dismissed with prejudice;  
27

1                   2.       Each party shall bear its own costs, expenses and attorneys' fees associated  
2 with the prosecution and defense of this Action;

3                   3.       All unresolved pending motions in this Action between the parties shall be  
4 denied as moot; and

5                   4.       This Court shall retain jurisdiction over this matter for purposes of  
6 enforcement of the parties' agreement.  
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9 **IT IS SO ORDERED.**

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11 Dated: 3/30/11



Honorable Richard Seeborg  
United States District Court Judge

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~~Proposed~~ Order re Stipulation on Dismissal of Defendant Hookumu, Inc.  
No. 3:09-cv-05422-RS