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19 Attorney for Defendant  
 20 Victor Chu

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

24 Daymen Photo Marketing LP, a  
 25 Canadian Limited Partnership, and  
 26 Daymen U.S., Inc., a California  
 27 corporation,

28 Plaintiffs,

29 vs.

30 Victor Chu, individually and d/b/a  
 31 "Mekko" and "Maxline Eagnas  
 32 Company"; UNKNOWN ENTITIES 1-  
 33 10; and "JOHN DOES" 1-10,

34 Defendants.

Case No. 3:10-cv-00307-SC

**STIPULATION AND [PROPOSED]  
 ORDER TO TRANSFER VENUE**

**STIPULATION**

WHEREAS, the parties in this action are currently discussing settlement of this action;

WHEREAS, the parties have agreed to transfer of this action to the Central District of

1 California as part of a tentative settlement of this dispute;

2 WHEREAS, the Central District of California has subject matter jurisdiction over this  
3 matter pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338 (a) and (b), and has  
4 supplemental jurisdiction over the common law and state law claims asserted pursuant to 28  
5 U.S.C. § 1367 (a);

6 WHEREAS, the defendant is subject to personal jurisdiction in the Central District of  
7 California; and

8 WHEREAS, venue in the Central District of California would have also been proper:

9 THEREFORE, pursuant to 28 U.S.C. §1404(a) and Local Rule 3-14, plaintiffs Daymen  
10 Photo Marketing LP and Daymen U.S., Inc., by and through their attorneys, and defendant Victor  
11 Chu, by and through his attorney, hereby agree that, subject to the approval of this Court, that this  
12 action be transferred to the Central District of California. Each party will bear their own  
13 attorney's fees and expenses incurred in relation to such transfer.

14 Dated: April 28, 2010

MANATT, PHELPS & PHILLIPS, LLP

15 By: /s/ Shannon S. King  
16 Shannon S. King

17 Attorneys for Plaintiffs  
18 DAYMEN PHOTO MARKETING LP and  
19 DAYMEN U.S., INC.

20 Dated: April 22, 2010

LAW OFFICES OF FELIX WU

21 By: /s/ Felix Wu  
22 Felix Wu

23 Attorney for Defendant  
24 VICTOR CHU D/B/A "MEKKO" AND D/B/A  
"MAXLINE EAGNAS COMPANY"

25 Pursuant to General Order No. 45, Section X(B), Shannon S. King hereby attests that concurrence  
26 in the filing of the document has been obtained from Felix Wu. A scanned image of the signature  
27 page of the document being electronically filed is hereby attached.

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1 California as part of a tentative settlement of this dispute;

2 WHEREAS, the Central District of California has subject matter jurisdiction over this  
3 matter pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338 (a) and (b), and has  
4 supplemental jurisdiction over the common law and state law claims asserted pursuant to 28  
5 U.S.C. § 1367 (a);

6 WHEREAS, the defendant is subject to personal jurisdiction in the Central District of  
7 California; and

8 WHEREAS, venue in the Central District of California would have also been proper;

9 THEREFORE, pursuant to 28 U.S.C. §1404(a) and Local Rule 3-14, plaintiffs Daymen  
10 Photo Marketing LP and Daymen U.S., Inc., by and through their attorneys, and defendant Victor  
11 Chu, by and through his attorney, hereby agree that, subject to the approval of this Court, that this  
12 action be transferred to the Central District of California. Each party will bear their own  
13 attorney's fees and expenses incurred in relation to such transfer.

14 Dated: April \_\_, 2010 MANATT, PHELPS & PHILLIPS, LLP

15  
16 By: /s/ Shannon S. King  
17 Shannon S. King  
18 Attorneys for Plaintiffs  
19 DAYMEN PHOTO MARKETING LP and  
DAYMEN U.S., INC.

20 Dated: April 22, 2010 LAW OFFICES OF FELIX WU  
21 By: [Signature]  
22 Felix Wu  
23 Attorney for Defendant  
24 VICTOR CHU D/B/A "MEKKO" AND D/B/A  
"MAXLINE EAGNAS COMPANY"

25 Pursuant to General Order No. 45, Section X(B) Shannon S. King hereby attests that concurrence  
26 in the filing of the document has been obtained from Felix Wu.

MANATT, PHELPS &  
PHILLIPS, LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO

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~~—[PROPOSED]~~ ORDER

Upon consideration of the parties' stipulation and good cause having been shown, the Court hereby orders this matter transferred from the Northern District of California to the Central District of California. This Order shall become effective 4/29, 2010.

**IT IS SO ORDERED.**

Dated: 4/29, 2010



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**PROOF OF SERVICE**

I, Linda Allen, declare as follows:

I am employed in San Francisco County, San Francisco, California. I am over the age of eighteen years and not a party to this action. My business address is MANATT, PHELPS & PHILLIPS, LLP, One Embarcadero Center, 30th Floor, San Francisco, California 94111. On April 28, 2010, I served the within:

**Stipulation and [Proposed] Order to Transfer Venue**

on the interested parties in this action addressed as follows:

Victor Chu  
d/b/a "Mekko" and "Maxline Eagnas Company  
18166 South Hobart Blvd  
Gardena, CA 90248

Felix Wu  
Law Office of Felix Wu  
4000 Barranca Pkwy, Suite 250  
Irvine, CA 92602

(BY MAIL) By placing such document(s) in a sealed envelope, with postage thereon fully prepaid for first class mail, for collection and mailing at Manatt, Phelps & Phillips, LLP, San Francisco, California following ordinary business practice. I am readily familiar with the practice at Manatt, Phelps & Phillips, LLP for collection and processing of correspondence for mailing with the United States Postal Service, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for collection.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made and that the foregoing is true and correct.

Executed on April 28, 2010, at San Francisco, California.



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Linda Allen