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 12 EDWARD HAYMAN, and AAUSA, LLC

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 14 **UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 15 **SAN FRANCISCO**

16 ROBERT L. CAZET, an individual, et al.

17 Plaintiffs,

18 v.

19 TOPPA EPPS, an individual, et al.

20 Defendants.

21  
 22 TOPPA EPPS, an individual, et al.

23 Counterclaimants,

24 v.

25 ROBERT L. CAZET, an individual, et al.

26 Counterdefendants.  
 27  
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CASE NO. C 10-02460 JSW

**STIPULATION TO REMOVE  
 INCORRECTLY FILED DOCUMENTS;  
 DOCKET NUMBERS 114 THROUGH 119-4**

**STIPULATION**

WHEREAS, on May 20, 2011, Defendants/Counterclaimants filed Defendants' Notice of Motion and Motion for Summary Judgment and Defendants' Memorandum of Points and Authorities in Support of Motion for Summary Judgment, and Declaration of Robert B. Golden in Support of Defendants' Motion for Summary Judgment, including Exhibits 1, 3-8, 10, 12-17, 20 and 21 thereto, now bearing ECF-CAND Doc Nos. 114 through 119-4.

WHEREAS, pursuant to Local Rule 79-5(b) and the Court's Protective Order for this case (See ECF Document No. 66), when electronically filed, the above-described papers could only have been lodged under seal or agreement of the parties, but were not.

WHEREAS, pursuant to the recommendation and request of the Court Clerk on May 26, 2011, that if the parties did not disagree on withdrawal of the incorrectly filed documents, counsel for Defendants should withdraw Defendants' Notice of Motion and Motion to Remove Incorrectly Filed Documents; Docket Numbers 114 through 119-4, and file instead a Stipulation for same.

WHEREAS, the parties agree the documents should be withdrawn.

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1 NOW THEREFORE, the parties, through their respective attorneys of record, hereby stipulate and agree  
2 that Defendants' Notice of Motion and Motion for Summary Judgment and Defendants'  
3 Memorandum of Points and Authorities in Support of Motion for Summary Judgment, and  
4 Declaration of Robert B. Golden in Support of Defendants' Motion for Summary Judgment, as filed  
5 on May 20, 2011, be permanently removed and deleted from the record.  
6

7 DATED: May 26, 2011

**STAINBROOK & STAINBROOK, LLP**

8 By /Craig M. Stainbrook/  
9 Craig M. Stainbrook  
10 Attorneys for Defendants/Counterclaimants

11 Dated: May 26, 2011

**SINGLER, NAPELL & DILLON, LLP**

12  
13 By /Bryan W. Dillon/  
14 Bryan W. Dillon  
15 Attorneys for Plaintiffs/Counterdefendants  
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17 ORDER

18 IT IS SO ORDERED.

19 Dated: May 27, 2011  
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21   
22 Honorable Jeffrey S. White  
23 United States District Judge  
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