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18 Attorneys for Defendants / Counterclaim Plaintiffs
 19 EVONY, LLC and REGAN MERCANTILE, LLC

20 **UNITED STATES DISTRICT COURT**
 21 **NORTHERN DISTRICT OF CALIFORNIA**

22 HEROIC ERA, LTD.,
 23
 24 Plaintiff /
 25 Counterclaim Defendant,
 26
 27 v.
 28 EVONY, LLC, et al.,
 29
 30 Defendants /
 31 Counterclaim Plaintiffs.

Case No. 3:11-cv-00497-EMC
 Transferred from W.D. Washington,
 2:10-cv-02062-MJP

**JOINT STIPULATION FOR DISMISSAL
 ORDER**

The Honorable Edward M. Chen

32 Plaintiff Heroic Era, Ltd. (“Heroic Era”) and defendant Evony, LLC (“Evony”) hereby
 33 jointly stipulate, pursuant to Fed. R. Civ. P. 41(a)(1)(ii), for dismissal of the above-captioned
 34 action with prejudice. Heroic Era commenced this action by filing a motion with the Western
 35 District of Washington to quash a subpoena. Civil Action No. 2:10-cv-02062-MJP. After
 36 briefing, the Western District of Washington transferred the case to the Northern District of

1 California. *Id.* at Docket No. 16. Because Heroic Era’s motion to quash was related to the
2 discovery issues presented in Evony’s motion for contempt and to compel pending before
3 Magistrate Judge Zimmerman in Civil Action No. 4:10-02458-SAB (BZ), Magistrate Judge
4 Zimmerman ordered that all briefing related to Heroic Era’s motion to quash be filed with the
5 Court in 10-02458 (ECF No. 64). After submission of the briefing by both Heroic Era and Evony
6 (collectively, “the Parties”) and a hearing, Magistrate Judge Zimmerman conditionally granted
7 Heroic Era’s motion to quash without prejudice. (*Id.* at 78). The Parties agree that any further
8 action on Heroic Era’s motion to quash will be addressed by Magistrate Judge Zimmerman in
9 Case No. 10-02458. Accordingly, no further action is needed in the present case, and the parties
10 hereby stipulate for dismissal of Case No. 11-00497-EMC with prejudice pursuant to Fed. R. Civ.
11 P. 41(a)(1)(ii).

12 Respectfully submitted,

13 Dated: March 9, 2011

NEWMAN & NEWMAN, ATTORNEYS AT LAW, LLP

14
15 By: /s/ Derek Linke (with authorization)

16 Derek Linke (pro hac vice)
Derek A. Newman, State Bar No. 190467

17 Attorneys for Plaintiff, HEROIC ERA, LTD.

18
19 Dated: March 9, 2011

EDWARDS ANGELL PALMER & DODGE LLP

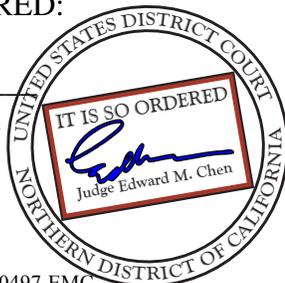
20 By: /s/ Andrew T. O’Connor

21 Steven M. Cowley
22 Joshua W. Gardner
23 Andrew T. O’Connor
24 Jon-Paul LaPointe

Attorneys for Defendant, EVONY, LLC

25 IT IS SO ORDERED:

26
27 Edward M. Chen
Dated: 3/11/11



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CERTIFICATE OF SERVICE

COMMONWEALTH OF MASSACHUSETTS, COUNTY OF SUFFOLK:

I, Andrew T. O'Connor, declare as follows:

I am employed in the County of Suffolk, Commonwealth of Massachusetts. I am over the age of 18 and not a party to the within-entitled action. My business address is 111 Huntington Avenue, Boston, Massachusetts 02119. On March 9, 2011, I served a true and correct copy of the following document(s) on all parties via the Court's electronic filing system (ECF):

STIPULATION

Derek Linke, Esq.
linke@newmanlaw.com

Derek A. Newman, Esq.
derek@newmanlaw.com

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1201 Third Avenue, Suite 1600
Seattle, WA 98101
Phone: (206) 274-2800
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Attorneys for Defendant, Feng Investment, Ltd.

I declare under penalty of perjury under the laws of the United States and the State of California that the above is true and correct. Executed on March 9, 2011, at Boston, Massachusetts.

/s/ Andrew T. O'Connor

Andrew T. O'Connor