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9 Attorneys for Defendants and Counterclaimants  
 10 STEPHAN JENKINS, an Individual;  
 11 BRADLEY HARGREAVES, an Individual;  
 12 STEPHAN JENKINS PRODUCTIONS, INC.;  
 13 3EB TOURING, INC.;  
 14 AND THIRD EYE BLIND, INC.

15 **UNITED STATES DISTRICT COURT,**  
 16 **NORTHERN DISTRICT OF CALIFORNIA**  
 17 **SAN FRANCISCO DIVISION**

18 ANTHONY FREDIANELLI,  
 19 Plaintiff,

20 v.

21 STEPHAN JENKINS, et al.,  
 22 Defendants.

Case No.: C 11-03232 EMC

**STIPULATION AND**  
**[PROPOSED] ORDER**  
**REGARDING CASH DEPOSIT**  
**IN LIEU OF POSTING BOND**

The Honorable Edward M. Chen

23 STEPHAN JENKINS, an Individual;  
 24 3EB TOURING, INC., a California  
 25 Corporation;  
 26 THIRD EYE BLIND, INC., a California  
 27 Corporation; and  
 28 STEPHAN JENKINS PRODUCTIONS,  
 INC., a California Corporation,

Defendant/Counterclaimants,

v.

ANTHONY FREDIANELLI, an  
 Individual,

Plaintiff/Counterdefendant.

ABBEY, WEITZENBERG, WARREN & EMERY, P.C.  
 100 Stony Point Road, Suite 200, P.O. Box 1566, Santa Rosa, CA 95402-1566  
 Telephone: (707) 542-5050 Facsimile (707) 542-2589

1 Given the Court's November 4, 2013 Order Granting Defendant's Motion to  
2 Stay Enforcement of Judgment (Document No. 311), which orders that Defendant  
3 3EB Touring, Inc. post a bond in the amount of \$447,485.34 as a condition of  
4 obtaining a stay of enforcement of judgment, and given the fact that the parties wish  
5 to ensure that the money is secure and is more easily accessible once final  
6 disposition of the money is determined, Plaintiff Anthony Fredianelli and  
7 Defendant 3EB Touring, Inc., through their respective counsel of record, do hereby  
8 stipulate as follows:

9 1. Defendant 3EB Touring, Inc. will deposit the sum of \$447,485.34 into  
10 a bank account with the San Francisco branch of City National Bank, into an  
11 account entitled "Mitchell B. Greenberg and Joseph W. Singleton Attorney Client  
12 Trust Account FBO Stephan Jenkins," account number 432915506.

13 2. No funds may be withdrawn from the above-described bank account  
14 number 432915506 absent either (a) both the signatures of counsel for Plaintiff,  
15 Mr. Joseph Singleton, on the one hand, and counsel for 3EB Touring, Inc., Mr.  
16 Mitchell Greenberg, on the other hand or (b) further order of this Court.

17  
18 **IT IS SO STIPULATED.**

19 Dated: November 22, 2013. ABBEY, WEITZENBERG, WARREN & EMERY

20  
21 By: /s/ Mitchell B Greenberg  
22 Mitchell B. Greenberg,  
23 Attorneys for Defendants  
24 STEPHAN JENKINS, an Individual;  
25 BRADLEY HARGREAVES, an Individual;  
26 THIRD EYE BLIND, INC.;  
27 3EB TOURING, INC.  
28 STEPHAN JENKINS PRODUCTIONS,  
INC.

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Dated: November 22, 2013. JOSEPH W. SINGLETON, ESQ.

By: /s/ Joseph W. Singleton  
Attorney for Plaintiff  
ANTHONY FREDIANELLI

**ATTESTATION OF CONCURRENCE**

I, Mitchell B. Greenberg, as the ECF user and filer of this document, attest that, pursuant to General Order No. 45(X)(B), concurrence in the filing of this document has been obtained from the above signatories.

Dated: November 22, 2013. ABBEY, WEITZENBERG, WARREN & EMERY

By: /s/ Mitchell B Greenberg  
Mitchell B. Greenberg,  
Attorneys for Defendants  
STEPHAN JENKINS, an Individual;  
BRADLEY HARGREAVES, an Individual;  
THIRD EYE BLIND, INC.;  
3EB TOURING, INC.  
STEPHAN JENKINS PRODUCTIONS,  
INC.

**[PROPOSED] ORDER**

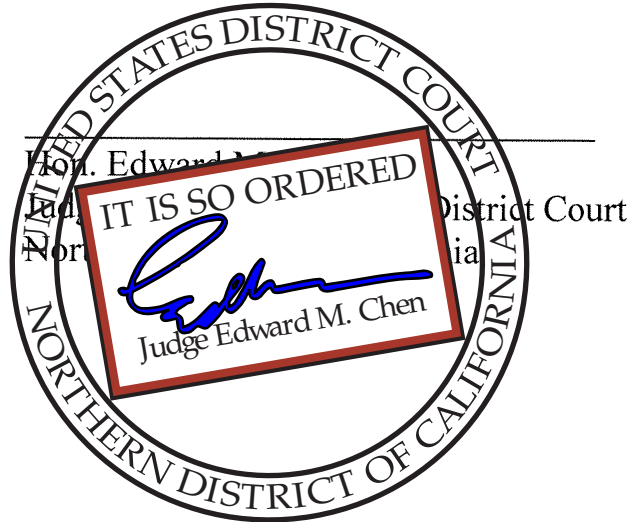
PURSUANT TO THE ABOVE STIPULATION, IT IS HEREBY  
ORDERED that:

1. Defendant 3EB Touring, Inc. will deposit the sum of \$447,485.34 into a bank account with the San Francisco branch of City National Bank, into an account entitled "Mitchell B. Greenberg and Joseph W. Singleton Attorney Client Trust Account FBO Stephan Jenkins," account number 432915506.

2. No funds may be withdrawn from the above-described bank account absent either (a) both the signatures of counsel for Plaintiff, Mr. Joseph Singleton, on the one hand, and counsel for 3EB Touring, Inc., Mr. Mitchell Greenberg, on the other hand or (b) further order of this Court.

**IT IS SO ORDERED.**

Dated: 11/26/13



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