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14 Attorney for Defendants,  
 15 L.A. SMITH & SONS INC. d/b/a L.A. SMITH & SONS COLLISION CENTER and  
 16 KIRK SMITH

17 **IN THE UNITED STATES DISTRICT COURT**  
 18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 **THE SHERWIN-WILLIAMS**  
 20 **COMPANY f/k/a/ SHERWIN-**  
 21 **WILLIAMS AUTOMOTIVE FINISHES**  
 22 **CORP.,**

23 **Plaintiff,**

24 **vs.**

25 **L.A. SMITH & SONS INC. d/b/a L.A.**  
 26 **SMITH & SONS COLLISION CENTER,**  
 27 **a California corporation; and KIRK**  
 28 **SMITH,**

**Defendants.**

**NO.: C12-02761 RS**

**STIPULATION TO SET ASIDE ENTRY**  
**OF DEFAULT AGAINST**  
**DEFENDANTS; [~~PROPOSED~~] ORDER**

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THE PARTIES TO THIS ACTION STIPULATE to set aside the entry of Default against Defendants, L.A. SMITH & SON, INC. d/b/a L.A. SMITH & SONS COLLISION CENTER and KIRK SMITH entered on July 9, 2012 (Docket No. 9).

Defendants assert good cause exists to set aside the entry of default because Defendants did not have an attorney and had hoped to resolve the dispute informally outside of the Court. Plaintiff takes no position on whether good cause exists, but in the interests of efficiency, Plaintiff stipulates to an order setting aside the Default entered

