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13 Attorneys for Defendants and Cross-Claimants Elite
 14 Wholesale, Inc., Tonic Wholesale, Inc. d/b/a Ace
 15 Wholesale, Dapan USA Corp. d/b/a Frontier
 16 Wholesale and Sung Keun Lee

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

INNOVATION VENTURES, LLC, et al.,
 Plaintiffs,
 v.
 PITTSBURGH WHOLESALE GROCERS
 d/b/a PITCO FOODS, et al.,
 Defendants.

Case No. 3:12-CV-05523-WHA

**STIPULATION AND [PROPOSED]
 ORDER DISMISSING ELITE
 DEFENDANTS' CROSS-CLAIMS**

AND RELATED CROSS-ACTIONS

1 WHEREAS, Defendants and Cross-Claimants Elite Wholesale, Inc., Tonic Wholesale,
2 Inc., Dapan USA Corp. and Sung Keun Lee (collectively, the “Elite Defendants”) have alleged
3 cross-claims against Defendants and Cross-Defendants Dan-Dee Company, Inc., Fadi Attiq and
4 Kevin Attiq (collectively, the “Dan-Dee Defendants”); and

5 WHEREAS, the Elite Defendants and the Dan-Dee Defendants have entered into a
6 settlement regarding these cross-claims; and

7 WHEREAS, dismissal of the Elite Defendants’ cross-claims is contingent upon
8 payments by the Dan-Dee Defendants to the Elite Defendants; and

9 WHEREAS, the Dan-Dee Defendants have a pending motion to approve a settlement
10 agreement with the Elite Defendants (Docket No. 521);

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1 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that if
2 the Court grants the Dan-Dee Defendants' motion to approve the settlement agreement with the
3 Elite Defendants, then all of the Elite Defendants' cross-claims are immediately dismissed with
4 prejudice with each party bearing their own costs.

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6 Dated: November 13, 2013

THE GAW GROUP

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8 By: /s/ Randolph Gaw

Randolph Gaw

Attorneys for Defendants and Cross-
Claimants Elite Wholesale Inc., Tonic
Wholesale, Inc., Dapan USA Corp. and
Sung Keun Lee

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12 Dated: November 13, 2013

LAW OFFICES OF WILLIAM MARKHAM, P.C.

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14 By: /s/ William Markham

William Markham

Attorneys for Defendant and Cross-
Defendant Dan-Dee Company, Inc.

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18 Dated: November 13, 2013

LAW OFFICES OF STEVEN A. ELIA, P.C.

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20 By: /s/ Steven A. Elia

Steven A. Elia

Attorneys for Defendants and Cross-
Defendants Fadi Attiq and Kevin Attiq

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23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

24 Dated: November 14, 2013.



Hon. William S. Alsup

United States District Court Judge