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9	Attorneys for Plaintiffs SEBASTIEN LAGREE AND	Attorneys for Defendants
10	SPX FITNESS, INC. D.B.A. LAGREE FITNESS	SPARTACUS 20TH LP (NV) D.B.A. BODYROK; SPARTACUS 20TH PROPERTIES, L.P.; SPARTACUS 20TH
11		PROPERTIES G.P., INC.; BODYROK FRANCHISE, L.P.; BODYROK FRANCHISE
12		G.P., INC.; PHILIP R. PALUMBO; JAKOB IRION; EXERCISE TECHNOLOGIES, L.P.;
13		and SCULPT FITNESS BERKELEY, LLC
14	UNITED STATES DISTRICT COURT	
15		
16	NORTHERN DISTRICT OF CALIFORNIA	
17	SAN FRANCISCO DIVISION	
18	SEBASTIEN LAGREE AND SPX FITNESS, INC. D.B.A LAGREE	Case No. 3:15-cv-04592-JST
19	FITNESS,	STIPULATION WITHDRAWING PLAINTIFFS' MOTION FOR RULE 11
20	Plaintiffs,	SANCTIONS AND [PROPOSED] ORDER
21	V.	
	SPARTACUS 20TH LP (NV) D.B.A.	
22	PROPERTIÉS, L.P., SPARTACUS 20TH	
23	PALUMBO, JAKOB IRIÓN, BODYROK	
24	FRANCHISE, L.P., BODYROK FRANCHISE G.P., INC., EXERCISE	
25	TECHNOLOGIES, L.P., SCULPT FITNESS BERKELEY, LLC, AND DOES 1	
26		
27	Defendants.	
28		

STIPULATION WITHDRAWING REQUEST FOR RULE 11 SANTIONS AND [PROPOSED] ORDER

1	WHEREAS, defendants Spartacus 20th LP (NV) d.b.a. BodyRok; Spartacus 20th		
2	Properties, L.P.; Spartacus 20th Properties G.P., Inc.; Philip R. Palumbo; Jakob Irion; BodyRol		
3	Franchise, L.P.; BodyRok Franchise G.P., Inc.; and Exercise Technologies, L.P.; Sculpt Fitnes		
4	Berkeley, LLC (collectively, "Defendants") filed a Motion for Attorneys' Fees on April 7, 2010		
5	(ECF 45), seeking fees pursuant to (1) the Patent Act, (2) Rule 11, (3) the Lanham Act, and (4) the		
6	Court's inherent authority;		
7	WHEREAS, plaintiffs Sebastien Lagree and SPX Fitness, Inc. d.b.a. Lagree Fitnes		
8	(collectively, "Plaintiffs") filed an Administrative Motion to Strike on April 13, 2016 (ECF 50);		
9	WHEREAS, on April 15, 2016, Defendants informed Plaintiffs that Defendants would		
10	stipulate to withdrawal of the request for relief pursuant to Rule 11;		
11	WHEREAS, Defendants have agreed to withdraw its Motion for Attorney's Fees wit		
12	respect to the request for Rule 11 sanctions without prejudice, while maintaining the Motion for		
13	Attorneys' Fees requesting relief pursuant to (1) the Patent Act, (2) the Lanham Act, and (3) the		
14	Court's inherent authority (ECF 45);		
15	IT IS HEREBY STIPULATED AND AGREED, by the undersigned attorneys for the		
16	parties set forth below, that the portion of Defendants' Motion for Attorney's Fees seeking reli-		
17	pursuant to Rule 11 is withdrawn without prejudice as to any of the issues raised therein		
18	Defendants maintain the Motion for Attorneys' Fees requesting relief pursuant to (1) the Paten		
19	Act, (2) the Lanham Act, and (3) the Court's inherent authority.		
20	Dated: April 20, 2016 GORDON & REES LLP		
21			
22	By:/s/ Robert P. Andris Robert P. Andris		
23			
24	Attorneys for Defendants SPARTACUS 20TH LP (NV) DBA BODYROK; SPARTACUS 20TH		
25	PROPERTIES, L.P.; SPARTACUS 20TH PROPERTIES G.P., INC.; BODYROK		
26	FRANCHISE, L.P.; BODYROK FRANCHISE		
27	G.P., INC.; PHILIP R. PALUMBO; JAKOB IRION; EXERCISE TECHNOLOGIES, L.P.; and SCULPT FITNESS BERKELEY, LLC		
28	and SCOLFT FITNESS DERKELET, LLC		

- 2 -

Case No. 3:15-cv-04592-JST

Dated: April 20, 2016	WILSON SONSINI GOODRICH & ROSATI Professional Corporation
	Troressional Corporation
	Ry: /s/ Stafani E Shanbara
	By: /s/ Stefani E. Shanberg Stefani E. Shanberg
	Attorneys for Plaintiffs SEBASTIEN LAGREE
	AND SPX FITNESS, INC.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 20, 2016

