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17 Attorneys for NORMA BEARD

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

21
 22 WALNUT CREEK MANOR, LLC,
 23 Plaintiff,

24 v.

25 MAYHEW CENTER, LLC, a California limited
 liability company; Dean Dunivan, an individual;
 26 Etch-Tek, Inc., a former California corporation; and
 DOES 1-50, inclusive,
 27 Defendants.

Case No. C 07 5664 CW
 [Related Case no. C-10-00527-CW]

**STIPULATION AND ORDER FOR
 REMOVAL OF DECEMBER 7, 2010
 STATUS CONFERENCE FROM
 CALENDAR**

1 MAYHEW CENTER, LLC, a California limited
2 liability company; and DEAN DUNIVAN, an
3 individual,

4 Cross-Claimants,

5 v.

6 WALNUT CREEK MANOR, LLC,

7 Cross-Defendant.

Judge: Hon. Claudia Wilken

First Amended
Complaint Filed: May 19, 2008

8
9 **STIPULATION**

10 Plaintiff/Cross-Defendant Walnut Creek Manor LLC (“WCM”), Defendants/Cross-
11 Complainants Mayhew Center LLC and Dean Dunivan (collectively, “MC”), and Norma Beard,
12 stipulate as follows:

13 WHEREAS, a Status Conference is currently scheduled for December 7, 2010 at 2pm,
14 pursuant to the Clerk’s Notice dated October 8, 2010 [docket no. 267];

15 WHEREAS, on November 23, 2010, the Court signed the Injunction Order Against Mayhew
16 Center LLC, And Dean Dunivan With Respect To Cleanup/Abatement Of The MC/WCM Properties
17 [docket no. 273];

18 WHEREAS, the Court’s Injunction Order and the parties’ accompanying Stipulation resolve
19 all outstanding issues that remained to be adjudicated in this action;

20 WHEREAS, the parties wish to avoid unnecessary litigation costs;

21 IT IS HEREBY STIPULATED that WCM, by and through its attorney of record Duane
22 Morris, LLP; MC, by and through its attorney of record Howrey LLP; and Norma Beard, by and
23 through her attorney of record Cooper, White and Cooper, agree to the following:

24 1. The Status Conference, currently scheduled for December 7, 2010, shall be removed
25 from the calendar.

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1 Dated: November 24, 2010

DUANE MORRIS LLP

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/s/ Brian Kelly

Brian A. Kelly
Attorneys for Plaintiff and Cross-Defendant
WALNUT CREEK MANOR, LLC

6 Dated: November 24, 2010

HOWREY LLP

/s/ Aaron Myers

Aaron Myers
Attorneys for Defendant and Cross-Complainant
MAYHEW CENTER LLC and DEAN DUNIVAN

COOPER, WHITE & COOPER LLP

12 Dated: November 24, 2010

/s/ Ed Seidel

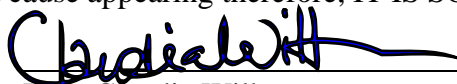
Edward Seidel
Attorney for Norma Beard

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ORDER

Pursuant to the above stipulation, and good cause appearing therefore, IT IS SO ORDERED.

Dated: 11/30/2010



Hon. Claudia Wilken
Judge of the United States District Court