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**FILED**  
 JUL - 6 2011  
 RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND

8 Attorneys for Plaintiffs  
 9 HYOSUNG (AMERICA), INC. and  
 NAUTILUS HYOSUNG INC.

10  
 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 OAKLAND DIVISION

15 HYOSUNG (AMERICA), INC. and NAUTILUS  
 HYOSUNG INC.,

16 Plaintiffs,

17 v.

18 HANTLE, INC. (fka Hantle USA, Inc.),  
 19 GENMEGA, INC. (fka Huin, Inc.),  
 20 WON GEE LEE, and MYUNG WON SUH,

21 Defendants.

Case No. CV-10-2160-SBA (NJV)

**STIPULATION AND [PROPOSED]  
 ORDER PERMITTING  
 SUBSTITUTION OF PARTIES**

Judge: Hon. Sandra B. Armstrong

22 WHEREAS Plaintiff Hyosung (America), Inc. has assigned its claims and liabilities  
 23 related to this action to Nautilus Hyosung America, Inc., which has thus become the successor to  
 24 the claims and liabilities of Hyosung (America), Inc. related to this action;

25 WHEREAS the parties have agreed that Nautilus Hyosung America, Inc. will be  
 26 substituted into the above-captioned case as the successor to Hyosung (America), Inc. pursuant to  
 27 Rule 25(c) of the Federal Rules of Civil Procedure;

1 WHEREAS Plaintiffs have agreed that all information, including hard copy and electronic  
2 documents, within the possession, custody or control of Hyosung (America), Inc. that is  
3 reasonably calculated to lead to the discovery of admissible evidence regarding any party's claim  
4 or defense in this action have been preserved and transferred to Nautilus Hyosung America, Inc.,  
5 which will be subject to discovery as a party;

6 WHEREAS Plaintiffs have agreed that T.J. Park, the Finance Manager of Hyosung  
7 (America), Inc., whom Plaintiffs identified in their Initial Disclosures, will be made available for  
8 deposition in California as long as he remains an employee of a company affiliated with  
9 Plaintiffs, which Plaintiffs expect to continue at least until the end of 2011.

10 IT IS HEREBY STIPULATED by and between the parties hereto and their respective  
11 attorneys of record as follows:

12 (1) Pursuant to Rule 25(c) of the Federal Rules of Civil Procedure, Nautilus Hyosung  
13 America, Inc., appearing through its undersigned counsel, shall be substituted as real party in  
14 interest for Plaintiff Hyosung (America), Inc.

15 (2) All documents within the possession, custody or control of Hyosung (America),  
16 Inc. that are reasonably calculated to lead to the discovery of admissible evidence regarding any  
17 party's claim or defense in this action have been transferred to Nautilus Hyosung America, Inc.,  
18 which will preserve those documents throughout the pendency of this litigation (including any  
19 appeals) unless otherwise ordered by the Court or agreed to in writing by all parties and which  
20 will be subject to discovery as a party.

21 (3) T.J. Park, the Finance Manager of Hyosung (America), Inc. will be made available  
22 for deposition in California as long as he remains an employee of a company affiliated with  
23 Plaintiffs. If it becomes known to Plaintiffs that T.J. Park's employment will be terminated,  
24 whether by Mr. Park or his employer, Plaintiffs shall give Defendants sufficient notice thereof to  
25 permit Defendants to depose Mr. Park before his employment ends.

26 The parties request that the Court enter this Proposed Order substituting Nautilus Hyosung  
27 America, Inc. for Hyosung (America), Inc. as a plaintiff in the above-captioned action.

28 In addition to stipulating to the above, I, Grant L. Kim, attest that concurrence in the filing

1 of this Stipulation has been obtained from Kristin S. Cornuelle, Counsel for Defendants Hantle,  
2 Inc., Won Gee Lee, and Myung Won Suh, and from Rocky C. Tsai, Counsel for Defendant  
3 Genmega, Inc.

4  
5 Dated: June 30, 2011

ADAM A. LEWIS  
GRANT L. KIM  
ALISON M. TUCHER  
BARBARA N. BARATH  
MORRISON & FOERSTER LLP

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7  
8 By: /s/ Grant L. Kim  
Grant L. Kim

9  
10 Attorneys for Plaintiffs  
HYOSUNG (AMERICA), INC.  
NAUTILUS HYOSUNG, INC.  
11 and for  
NAUTILUS HYOSUNG AMERICA,  
12 INC.

13 Dated: June 30, 2011

MATTHEW H. POPPE  
KRISTIN S. CORNUELLE  
JACOB A. SNOW  
ORRICK, HERRINGTON & SUTCLIFFE  
14 LLP

15  
16 By: /s/ Kristin S. Cornuelle [as authorized]  
Kristin S. Cornuelle

17 Attorneys for Defendants  
HANTLE, INC. [fka Hantle USA, Inc.]  
18 WON GEE LEE  
MYUNG WON SUH

19  
20 Dated: June 30, 2011

MICHAEL LI-MING WONG  
THAD A. DAVIS  
ROCKY C. TSAI  
21 ROPES & GRAY LLP

22 By: /s/ Rocky C. Tsai [as authorized]  
Rocky C. Tsai

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24 Attorneys for Defendant  
GENMEGA, INC.

25 The filing attorney, by filing this document, certifies that he has the authorization of the  
26 remaining attorneys to file this over their electronic signatures.  
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~~[PROPOSED]~~ Order

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 7/6/11

By: *Saundra B. Armstrong*  
THE HONORABLE SAUNDRA B. ARMSTRONG  
UNITED STATES DISTRICT JUDGE