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14 Attorneys for Plaintiffs BSD, INC. and 21st CENTURY GROUP, INC. and
 15 Plaintiff, Counter-Defendant and Counter-Claimant YOUSTINE, INC.

16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18 **OAKLAND DIVISION**

19 BSD, INC., a California corporation; 21st
 20 CENTURY GROUP, INC., a California
 corporation; and YOUSTINE, INC., a California
 21 corporation,

22 Plaintiffs,

23 v.

24 EQUILON ENTERPRISES, LLC, a Delaware
 limited liability company, ANABI OIL
 25 CORPORATION, a California corporation, and
 DOES 1 through 100, Inclusive,

26 Defendants.

Case No. 10-CV-05223-SBA

**STIPULATION RE DISMISSAL OF
 EQUILON ENTERPRISES LLC'S
 SECOND COUNTERCLAIM FOR
 RELIEF; AND [PROPOSED] ORDER
 THEREON**

[Civil L.R. 7-12]

Complaint Filed: November 2, 2010

Dept.: Courtroom. 1, 4th Floor
 Judge: Hon. Sandra B. Armstrong
 Mag. Judge: Hon. Jacqueline S. Corley
 Trial Date: June 10, 2013

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 28 AND RELATED COUNTERCLAIMS.

1 Defendant, Counter-Claimant and Counter-Defendant Equilon Enterprises LLC, dba Shell
2 Oil Products US ("Equilon") and Plaintiff, Counter-Defendant and Counter-Claimant Youstine, Inc.
3 ("Youstine") respectfully submit the following Stipulation and [Proposed] Order regarding the
4 dismissal of Equilon's Second Counterclaim for Relief for Conversion as follows:

5 WHEREAS on September 22, 2011, Equilon filed an Amended Counterclaim against
6 Youstine to add a Second Counterclaim for Relief for Conversion and to supplement its Breach of
7 Contract claim against Youstine;

8 WHEREAS Equilon no longer intends to pursue its Second Counterclaim for Relief for
9 Conversion and seeks a dismissal of such claim without prejudice; and

10 WHEREAS Youstine agrees to Equilon's dismissal of the Second Counterclaim for Relief
11 for Conversion without prejudice;

12 WHEREFORE, IT IS HEREBY STIPULATED by and between Equilon and Youstine, by
13 and through their respective attorneys of record, as follows:

14 1. Equilon will not pursue its Second Counterclaim for Relief for Conversion against
15 Youstine and will dismiss such claim without prejudice; and

16 2. Each party shall bear its own attorney's fees and costs in connection with this claim.

17 This stipulation may be executed in counterparts, each of which will be deemed an original
18 and all such counterparts together will constitute one and the same instrument. Counterparts may be
19 exchanged by facsimile transmission.

20 IT IS SO STIPULATED.

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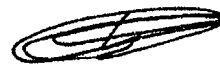
22 Dated: April 1, 2013

BLEAU FOX, A P.L.C.

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By:



Thomas P. Bleau, Esq.
Gennady L. Lebedev, Esq.
Megan A. Childress, Esq.
Attorneys for Plaintiffs BSD, INC. and 21ST
CENTURY GROUP, INC. and Plaintiff, Counter-
Defendant and Counter-Claimant YOUSTINE,
INC.

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1 Dated: April 2, 2013

WILSON TURNER KOSMO LLP

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3 By: /s/ Hubert Kim
4 ROBIN A. WOFFORD
5 KATHERINE K. POTHIER
6 HUBERT KIM
7 Attorneys for Defendant, Counter-Claimant and
8 Counter-Defendant EQUILON ENTERPRISES
9 LLC, dba SHELL OIL PRODUCTS US

8 **SIGNATURE ATTESTATION**

9 Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that authorization for the filing of this
10 document has been obtained from each of the other signatories shown above and that all signatories
11 concur in the filing's content.

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13 Dated: April 2, 2013

By: /s/ Hubert Kim
HUBERT KIM

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16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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18 Dated: APRIL 3, 2013


19 HON. SAUNDRA B. ARMSTRONG
20 UNITED STATES DISTRICT COURT JUDGE
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