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21 Attorneys for Defendants
 22 SAFARI WEST, INC., PETER ANTON LANG and
 23 NANCY ANNE LANG, individuals and as Trustees of the
 24 LANG 2003 TRUST dba SAFARI WEST

25 **UNITED STATES DISTRICT COURT**
 26 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

27 RICHARD SKAFF; and CONNIE
 28 ARNOLD,

Plaintiffs,

v.

SAFARI WEST, INC., a California
 Corporation; PETER ANTON LANG
 and NANCY ANNE LANG, individuals
 and as Trustees of the LANG 2003
 TRUST dba SAFARI WEST; and
 DOES 1 through 10, Inclusive,

Defendants.

No. CV 11-0869 LB

STIPULATION AND ~~[PROPOSED]~~
ORDER RE: DEFENDANTS' ANSWER TO
PLAINTIFFS' COMPLAINT

Action Filed: February 24, 2011

1 WHEREAS, on February 24, 2011, Plaintiffs Richard Skaff and Connie Arnold
2 (“Plaintiffs”) filed their Complaint for Injunctive Relief and Damages in this Court;

3 WHEREAS, on May 5, 2011, Defendants Safari West, Inc., Peter Anton Lang
4 and Nancy Anne Lang (“Defendants”) filed their Answer to Plaintiff’s Complaint
5 (“Answer”), in which Defendants alleged the affirmative defense of unclean hands;

6 WHEREAS, after meeting and conferring with Plaintiffs, Defendants agreed to
7 amend the Answer to remove the unclean hands defense provided that Plaintiffs allow
8 Defendants to investigate and probe the viability of the defense through discovery
9 procedures and allow Defendants to amend their Answer again to re-allege the defense
10 should Defendants later determine they want to continue to assert the defense;

11 WHEREAS, Plaintiffs also agreed that if Defendants decide to amend their
12 Answer following discovery to assert the unclean hands defense again against Plaintiffs,
13 Plaintiffs will not allege that Defendants have waived the defense.

14 NOW THEREFORE, the parties, through their respective attorneys of record,
15 stipulate as follows:

16 i) Defendants shall file and serve an amended answer eliminating the
17 unclean hands affirmative defense within ten (10) days after the date the Court executes
18 this Order.

19 ii) Plaintiffs shall allow Defendants to investigate the unclean hands defense
20 through discovery proceedings.

21 iii) If Defendants later decide to amend their answer to re-assert the unclean
22 hands defense, Plaintiffs will not allege that Defendants have waived the unclean hands
23 defense, but do not hereby waive any other challenges to the unclean hands defense.

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IT IS SO STIPULATED effective as of June 10, 2011.

DATED: June 10, 2011

HANSON BRIDGETT LLP

By: /s/ Molly A. Lee

Kurt A. Franklin
Molly A. Lee
Attorneys for Defendants
SAFARI WEST, INC.,
PETER ANTON LANG and
NANCY ANNE LANG, individuals and
as Trustees of the LANG 2003 TRUST
dba SAFARI WEST

DATED: June 10, 2011

BARBOSA, METZ & HARRISON, LLP

By: /s/ Patricia Barbosa

Patricia Barbosa
Attorneys for Plaintiffs
RICHARD SKAFF and
CONNIE ARNOLD

IT IS SO ORDERED:

DATED: June 16, 2011



HONORABLE LAUREL BEELER
United States Magistrate Judge