

1 **Thomas P. Riley, SBN 194706**
 2 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
 3 **First Library Square**
 4 **1114 Fremont Avenue**
 5 **South Pasadena, CA 91030-3227**

6 **Tel: 626-799-9797**
 7 **Fax: 626-799-9795**
 8 **TPRLAW@att.net**

9 **Attorneys for Plaintiff**
 10 **J & J Sports Productions, Inc.**

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **J & J Sports Productions, Inc.,**

14 **CASE NO. CV 11-1165 CW**

15 **Plaintiff,**

16 **STIPULATION OF DISMISSAL OF**
 17 **PLAINTIFF'S COMPLAINT**
 18 **AGAINST DEFENDANTS BENNETT**
 19 **MONTOYA, individually and d/b/a**
 20 **ATMOSPHERE A/K/A**
 21 **ATMOSPHERE 3, and BMGV, LLC,**
 22 **an unknown business entity d/b/a**
 23 **ATMOSPHERE A/K/A**
 24 **ATMOSPHERE 3**

25 **vs.**

26 **Bennett Montoya, et al.,**

27 **Defendants.**

28 **IT IS HEREBY STIPULATED** by and between Plaintiff J & J SPORTS PRODUCTIONS, INC. and Defendants BENNETT MONTOYA, individually and d/b/a ATMOSPHERE A/K/A ATMOSPHERE 3, and BMGV, LLC, an unknown business entity d/b/a ATMOSPHERE A/K/A ATMOSPHERE 3 that the above-entitled action is hereby dismissed **without prejudice** against BENNETT MONTOYA, individually and d/b/a ATMOSPHERE A/K/A ATMOSPHERE 3, and BMGV, LLC, an unknown business entity d/b/a ATMOSPHERE A/K/A ATMOSPHERE 3.

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1 **IT IS FURTHER STIPULATED** that provided no Party referenced above
2 has filed a motion to reopen this action by December 1, 2012, the dismissal shall be
3 deemed to be **with prejudice**.

4 This dismissal is made pursuant to Federal Rules of Civil Procedure 41(a)(1).
5 Each Party referenced-above shall bear its own attorneys' fees and costs.
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8 Dated: August 16, 2011

s/ Thomas P. Riley
LAW OFFICES OF THOMAS P. RILEY, P.C.
By: Thomas P. Riley
Attorneys for Plaintiff
J & J SPORTS PRODUCTIONS, INC.

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13 Dated:

s/ Will White
LAW OFFICES OF MARK E. RENNIE
By: Will White
Attorneys for Defendants
BENNETT MONTOYA, individually and d/b/a
ATMOSPHERE A/K/A ATMOSPHERE 3, and
BMGV, LLC, an unknown business entity d/b/a
ATMOSPHERE A/K/A ATMOSPHERE 3

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21 **IT IS SO ORDERED:**

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26 The Honorable Claudia Wilken
27 United States District Court
28 Northern District of California

Dated: 9/2/2011