Craigslist, Inc. v. Agner et al Doc. 24

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Attorneys for Plaintiff
craigslist, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

CRAIGSLIST, INC., a Delaware corporation,

Plaintiff,

v.

PAUL AGNER, a California resident; JOHN DOE d/b/a www.adzillapro.com; and DOES 1 through 25, inclusive,

Defendants.

Case No. CV 11-003307 SBA

STIPULATION TO DISMISSAL; ORDER GRANTING DISMISSAL PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(2)

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WHEREAS, on July 6, 2011, Plaintiff craigslist, Inc. ("craigslist") filed a Complaint, Case No. 11-003307 SBA, against Defendant Paul Agner for (1) violation of the Digital Millennium Copyright Act, 17 U.S.C. § 1201; (2) violation of the Computer Fraud and Abuse Act, 18 U.S.C. § 1030; (3) violation of California Penal Code § 502; (4) Breach of Contract; (5) Inducing Breach of Contract; (6) Intentional Interference with Contractual Relations; (7) Fraud; and (8) violation of California Business and Professions Code § 17200; and

WHEREAS, the parties through their authorized representatives have chosen to resolve these claims with each party bearing its own attorneys' fees and costs.

NOW THEREFORE, subject to the Court's approval, the parties stipulate and agree that craigslist's claims, as set forth in the above-referenced Complaint, are dismissed without prejudice. The parties specifically request an order from this Court dismissing such claims without prejudice.

DATED: August 14, 2012

Respectfully submitted,

PERKINS COIE LLP

By: */s/ Brian Hennessy*
Brian Hennessy (SBN 226721)
BHennessy@perkinscoie.com

Attorneys for Plaintiff
craigslist, Inc.

DATED: August 14, 2012

By: */s/ Lowell Robert Fuselier*
Lowell Robert Fuselier

Attorneys for Defendant
Paul Agner

I, Brian Hennessy, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: August 14, 2012

By: */s/ Brian Hennessy*
Brian Hennessy

ORDER

PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS HEREBY ORDERED THAT, with good cause appearing and the parties having stipulated and agreed, Plaintiff craigslist, Inc.'s claims against Defendant Paul Agner as set forth in the Complaint filed in Case No. 11-003307 SBA are hereby dismissed without prejudice.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 8/17/12

Honorable Saundra Brown Armstrong

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on August 14, 2012.

/s/ LiLing Poh
LiLing Poh