

1 R. SCOTT ERLEWINE (State Bar No. 095106)  
 PHILLIPS, ERLEWINE & GIVEN LLP  
 2 50 California Street, 32<sup>nd</sup> Floor  
 San Francisco, CA 94111  
 3 Telephone: 415-398-0900  
 Fax: 415-398-0911  
 4 Email: rse@phillaw.com  
 Attorneys for Plaintiff and Counterclaim-Defendant  
 5 LIVE NATION MERCHANDISE, INC.

6 ROCHELLE D. ALPERT (State Bar No. 065037)  
 SHARON R. SMITH (State Bar No. 221428)  
 7 STEPHANIE L. HALL (State Bar No. 288369)  
 MORGAN, LEWIS & BOCKIUS LLP  
 8 One Market, Spear Street Tower  
 San Francisco, CA 94105-1126  
 9 Tel: 415.442.1000  
 Fax: 415.442.1001  
 10 E-mail: ralpert@morganlewis.com  
 srsmith@morganlewis.com  
 11 shall@morganlewis.com

Attorneys for Defendants and Counterclaimants  
 12 STANLEY G. MILLER, aka Stanley Mouse, an  
 individual; THE ALTON KELLEY AND  
 13 MARGUERITE KELLEY 1999 TRUST, dated  
 November 24, 1999

14 **UNITED STATES DISTRICT COURT**

15 **NORTHERN DISTRICT OF CALIFORNIA**

16 LIVE NATION MERCHANDISE, INC., a  
 Delaware corporation,

17 Plaintiff,

18 vs.

19 STANLEY G. MILLER, aka STANLEY  
 MOUSE, an individual; THE ALTON  
 KELLEY AND MARGUERITE  
 20 TROUSDALE KELLEY 1999 TRUST  
 DATED NOVEMBER 24, 1999;  
 21 and DOES 1 to 10,

22 Defendants.

23 STANLEY G. MILLER, aka STANLEY  
 MOUSE, an individual; THE ALTON  
 KELLEY AND MARGUERITE  
 24 TROUSDALE KELLEY 1999 TRUST,  
 DATED NOVEMBER 24, 1999,

25 Counterclaimants,

26 vs.

27 LIVE NATION MERCHANDISE, INC.,  
 Counterclaim-Defendant.

Case No. 13-CV-03936-CW

**JOINT STIPULATION OF DISMISSAL OF  
 ACTION IN ITS ENTIRETY AS TO ALL  
 PARTIES WITH PREJUDICE PURSUANT  
 TO FRCP 41(a) AND (c)**

Hon. Claudia Wilken

Complaint filed: January 11, 2013

1 Plaintiff and Counterclaim-Defendant Live Nation Merchandise, Inc., hereinafter "Live  
2 Nation," and Defendants and Counterclaimants Stanley G. Miller aka Stanley Mouse, an  
3 individual, and the Alton Kelley and Marguerite Trousdale Kelley 1999 Trust dated November  
4 24, 1999, hereinafter "Artists," through their respective counsel, stipulate as follows:

5 (1) that all claims of Live Nation in the above-captioned action, Case No. 13-CV-03936-  
6 CW, are dismissed with prejudice in their entirety;

7 (2) that all counterclaims asserted by Artists in the above-captioned action, Case No. 13-  
8 CV-03936-CW, are dismissed with prejudice in their entirety; and

9 (3) that all parties bear their own attorneys' fees and costs.

10 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD**

11  
12 Dated: JULY 7, 2014

DATED: JULY 7, 2014

13 **MORGAN, LEWIS & BOCKIUS LLP**

**PHILIPS, ERLEWINE AND GIVEN, LLP**

14 By   
15 Rochelle D. Alpert

By   
R. Scott Erlewine

16 Rochelle D. Alpert  
17 Sharon R. Smith  
Stephanie L. Hall

18 Attorneys for Defendants and Counter-  
19 Claimants STANLEY G. MILLER, aka  
Stanley Mouse, an individual; THE ALTON  
20 KELLEY AND MARGUERITE KELLEY  
1999 TRUST, dated November 24, 1999

Attorneys for Plaintiff and Counter-Defendant  
LIVE NATION MERCHANDISE, INC.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Upon reading and approving of the parties' joint stipulation of dismissal with prejudice, and good cause appearing therefore,

**IT IS HEREBY ORDERED** that the above-entitled action, including all claims and counterclaims, is hereby dismissed in its entirety as to all parties with prejudice. Each party shall bear its own attorneys' fees and costs.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: July 10, 2014

By:   
HONORABLE CLAUDIA WILKEN  
UNITED STATES DISTRICT COURT JUDGE