

E-Filed 1/5/08

1 Kenneth W. Starr (S.B.N. 58382)
 kstarr@kirkland.com
 2 Tracy Kathryn Genesen (S.B.N. 159324)
 tgenesen@kirkland.com
 3 Rebecca M. Stamey-White (S.B.N. 257717)
 rstamey-white@kirkland.com
 4 KIRKLAND & ELLIS LLP
 555 California Street
 5 San Francisco, California 94104-11501
 Telephone: (415) 439-1400
 6 Facsimile: (415) 439-1500

7 Attorneys for Plaintiffs
 KNIGHTSBRIDGE WINE SHOPPE, LTD.;
 8 CASCO COMMUNICATIONS dba
 VIRGINIA WINE OF THE MONTH CLUB; and
 9 STEVEN M. COHEN, an individual

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

13 KNIGHTSBRIDGE WINE SHOPPE, LTD.,
 14 ET AL.

Plaintiffs,

vs.

16 JERRY R. JOLLY, in his capacity as Director
 17 of the California Department of Alcoholic
 Beverage Control,

Defendant.

CASE NO. 5:06-CV-02890-JF
 ORDER APPROVING
STIPULATION OF DISMISSAL

19
 20 Pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and 25(d), Defendant STEVE
 21 HARDY, in his official capacity as the Director of the California Department of Alcoholic
 22 Beverage Control (the "Department") and successor to Defendant JERRY R. JOLLY, the former
 23 director, and Plaintiffs KNIGHTSBRIDGE WINE SHOPPE, LTD., CASCO
 24 COMMUNICATIONS LLC dba VIRGINIA WINE OF THE MONTH CLUB, and STEVEN M.
 25 COHEN, by and through their respective counsel, hereby stipulate to the dismissal of this action
 26 without prejudice, each of the parties to bear their own fees and costs. Plaintiffs are satisfied
 27 with the on-going enforcement priorities of the Department, as articulated in Section I. 5 of the
 28 Stipulation, Agreement and Order ("Stipulation") entered in this action on November 15, 2006

1 and for this reason see no need to proceed with the litigation at this time, and Defendant is
2 similarly of the opinion the litigation should not proceed for the reasons stated in Section I. 7 of
3 the Stipulation.

4 IT IS HEREBY SO STIPULATED.

5
6 Dated: December 31, 2008

Kenneth W. Starr
Tracy K. Genesen
Rebecca M. Stamey-White
KIRKLAND & ELLIS LLP

7
8
9 By: /s/ Tracy K. Genesen
Tracy Kathryn Genesen

10 Attorneys for Plaintiffs
11 KNIGHTSBRIDGE WINE SHOPPE, LTD.;
12 CASCO COMMUNICATIONS dba
13 VIRGINIA WINE OF THE MONTH CLUB; and
14 STEVEN M. COHEN, an individual

15
16 Dated: December 31, 2008

EDMUND G. BROWN JR.,
Attorney General of the State of California
ALICIA M.B. FOWLER
Senior Assistant Attorney General
MIGUEL A. NERI
FIEL D. TIGNO
Supervising Deputy Attorneys General

17
18
19 By: /s/ Marjorie E. Cox
MARJORIE E. COX
Deputy Attorney General

20 Attorneys for Defendant
21 DIRECTOR, CALIFORNIA DEPARTMENT
22 OF ALCOHOLIC BEVERAGE CONTROL

23 **Signature Attestation**

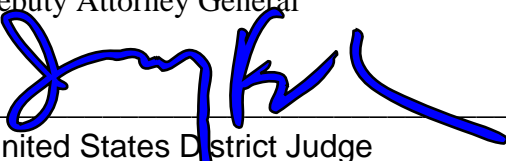
24 I hereby attest that I have on file written authorization for any signatures indicated by a
25 "conformed" signature (/s/) within this efiled document.

26 Dated: December 31, 2008

/s/ Marjorie E. Cox
MARJORIE E. COX
Deputy Attorney General

27 IT IS SO ORDERED.

28 1/5/09


United States District Judge