Noel M. Cook, Esq. CSBN 122777 OWEN, WICKERSHAM & ERICKSON, P.C. 455 Market Street, 19th Floor San Francisco, CA 94105 Telephone: (415) 882-3200 4 Telecopier: (415) 882-3232 5 IT IS SO ORDERE William S. Strong, Esq. Amy C. Mainelli Burke, Esq. 6 KOTIN, CRABTREE & STRONG, LLP 7 One Bowdoin Square Boston, MA 02114 Telephone: (617) 227-7031 Telecopier: (617) 367-2988 9 Attorneys for Plaintiffs 10 Kimberly A. Donovan (State Bar No. 160729) 11 Sallie Kim (State Bar No. 142718) GCA LAW PARTNERS LLP 12 1891 Landings Drive 13 Mountain View, CA 94043 Telephone: (650) 428-3900 14 Facsimile: (650) 428-3901 15 Attorneys for Defendants 16 UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA 17 18 AMERICAN CHEMICAL SOCIETY, AMERICAN) Civil Case No. C 06 4414 JW HRL INSTITUTE OF PHYSICS, BLACKWELL 19 PUBLISHING, INC., ELSEVIER, INC., INFORMA STIPULATED JUDGMENT AND [PROPOSED] ORDER THEREON UK LTD., INFORMA USA, INC., OXFORD 20 UNIVERSITY PRESS, SPRINGER SCIENCE AND 21 BUSINESS MEDIA, LLC, WILEY PERIODICALS, INC., and WILEY-LISS, INC., 2.2 Plaintiffs, 23 24 COMMAX TECHNOLOGIES, INC., COMMAX WORLDWIDE, HENRY SHIOU-MING 25 CHEN, DAPHNE L. CHEN, LIANG-WANG HOW, KUO REUIH PAN, and SUNNY CHEN YOUNG, 26 27 Defendants. 28

Plaintiffs American Chemical Society, American Institute of Physics, Blackwell Publishing, Inc., Elsevier, Inc., Informa UK Ltd., Informa USA, Inc., Oxford University Press, Springer Science and Business Media, LLC, Wiley Periodicals, Inc. and Wiley-Liss, Inc. ("Plaintiffs") and Defendants Commax Technologies, Inc., Henry Shiou-Ming Chen, Daphne L. Chen, Liang-Wang How, Kuo Rueih Pan and Sunny Young, and Henry Shiou-Ming Chen and Daphne L. Chen in their capacities as trustees of the Shiou-Ming Henry Chen and Daphne Li-Ming Chen 1993 Revocable Living Trust ("Defendants"), through their undersigned counsel, hereby stipulate and move this Court for entry of judgment as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

- 1. The Plaintiffs and Defendants have entered into a Settlement Agreement to resolve this action.
- 2. Defendants Henry Shiou-Ming Chen and Daphne L. Chen are hereby enjoined, for a period of five (5) years from the date of this Judgment, from placing any subscription order with any Plaintiff whether in their own names or any other name real or imagined, or purchasing any of the Plaintiffs' publications whether for themselves or on behalf of any other person or entity, real or imagined, other than from a bookstore or other retail vendor.
- 3. Defendants Henry Shiou-Ming Chen and Daphne L. Chen are hereby enjoined, for a period of five (5) years from the date of this Judgment, from joining or attempting to join any membership organization associated with any Plaintiff whether in their own names or in the names of any other person or entity, real or imagined.
- 4. After the expiration of such five-year period, Defendants Henry Shiou-Ming Chen and Daphne L. Chen are hereby enjoined from placing any journal subscription order with any Plaintiff other than on behalf of a *bona fide* institutional customer whose identity is fully disclosed to the Plaintiff concerned.
- 5. The Preliminary Injunction previously entered in this action by Order dated May 15, 2009 (Docket No. 258) is hereby dissolved and no longer has any force or effect.
 Plaintiffs shall take all actions necessary, including recording appropriate documents

1	with the Santa Clara County Recorder's Office, to provide notice that the Preliminary	
2	Injunction no longer has any force or effect and that the Notice of Pending Action	
3	recorded with regard to property located at 770 Josina Avenue, Palo Alto, CA is	
4	withdrawn.	
5	6. In the event of a dispute arising	out of the Settlement Agreement, any party may
6	file a breach of contract action in a court of Agreement.	of competent jurisdiction to enforce the Settlement
7		Respectfully submitted,
8		KOTIN, CRABTREE & STRONG, LLP
9		
10	Dated: July 17, 2009	/s/ William S. Strong
11		William S. Strong, Esq.
12		Attorneys for Plaintiffs
13		AMERICAN CHEMICAL SOCIETY, AMERICAN INSTITUTE OF PHYSICS, BLACKWELL
14		PUBLISHING, INC., ELSEVIER, INC., INFORMA
15		UK LTD., INFORMA USA, INC., OXFORD UNIVERSITY PRESS,,SPRINGER SCIENCE
16		AND BUSINESS MEDIA LLC, WILEY
		PERIODICALS, INC., and WILEY-LISS, INC.
17		
18		GCA LAW PARTNERS LLP
19	Dated: July 17, 2009	/s/ Kimberly Donovan
20		Kimberly Donovan
21		Attorneys for Defendants
22		COMMAX TECHNOLOGIES, INC.,
23	*** ORDER ***	HENRY SHIOU-MING CHEN, DAPHNE L. CHEN, LIANG-WANG HOW, KUO RUEIH PAN.
24		and SUNNY YOUNG
25	The Clerk shall close this file.	
26		D
27	SO ORDERED: James Ware	Date: July 29, 2009
28	United States District Court J	ludge