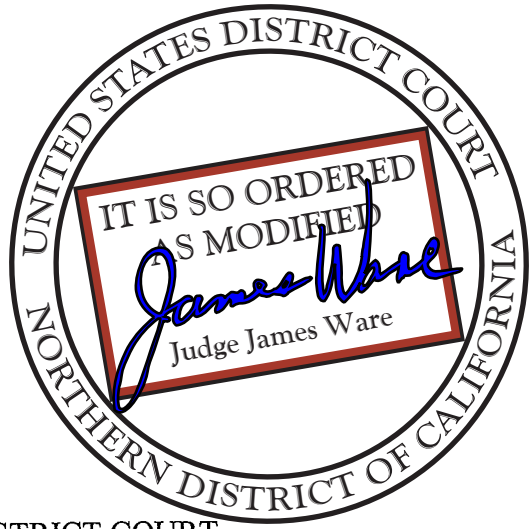


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 ANNIE CHAN



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

13 ANNIE CHAN, an individual,  
 14  
 15 Plaintiff,  
 16 vs.  
 17 BUCEPHALUS ALTERNATIVE ENERGY  
 GROUP, LLC, a limited liability company; and  
 18 DOES 1 through 10,  
 19 Defendant(s).

Case No. C08 04537 PVT  
**STIPULATION TO STAY ACTION**

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1 WHEREAS, Plaintiff Annie Chan ("Plaintiff") and Defendants Bucephalus Alternative  
2 Energy Group, LLC ("BAEG") and Charles Kim ("Kim") (collectively, the "Parties") have  
3 agreed to mediate their disputes in the above-captioned action (the "Action"); and

4 WHEREAS, the Parties desire to stay any deadlines in this Action pending the outcome of  
5 the mediation;

6 IT IS HEREBY STIPULATED AND AGREED by and between the parties through their  
7 respective counsel, subject to the Court's approval, that:

- 8 1. The Action, including all deadlines, is stayed, pending the outcome of the mediation;
- 9 2. The parties agree to continue Defendant BAEG's motions currently on calendar to a date  
10 and time convenient for the Court and parties; and
- 11 3. The Parties will report regarding the outcome of the mediation at the Case Management  
12 Conference, already scheduled for February 9, 2009, at 10:00 a.m.

13 SO STIPULATED AND AGREED.

14 Dated: October 31, 2008

BERGESON, LLP

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By: \_\_\_\_\_/s/\_\_\_\_\_  
Caroline McIntyre

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Attorneys for Plaintiff  
ANNIE CHAN

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20 Dated: October 31, 2008

MANNING & MARDER, KASS, ELLROD,  
RAMIREZ LLP

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By: \_\_\_\_\_/s/\_\_\_\_\_  
Patrick L. Hurley

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Attorneys for Defendant  
BUCEPHALUS ALTERNATIVE ENERGY  
GROUP, LLC

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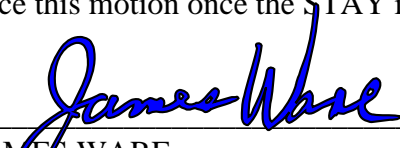
**ORDER**

Pursuant to the foregoing stipulation, and good cause appearing, IT IS HEREBY ORDERED that:

- (1) The Action, including all deadlines, is stayed, pending the outcome of the mediation;
  
- (2) The Parties will report regarding the outcome of the mediation at the Case Management Conference, already scheduled for February 9, 2009 at 10:00 a.m.

On or before **January 30, 2009**, the parties shall file a Joint Case Management Statement. The Statement shall include, among other things, an update on the parties' mediation efforts. In light of this Order, the Court orders off calendar Defendant's Motion to Dismiss currently set for hearing on February 9, 2009. (See Docket Item Nos. 14, 16.) The Clerk shall terminate Defendant's Motion from the Docket. Defendant may renote this motion once the STAY is lifted.

Dated: November 17, 2008

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge