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11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

13 FITNESS ANYWHERE, INC.,
 14 Plaintiff,
 15 v.
 16 STANLEY YAN, *et al.*,
 17 Defendants.

18 Case No.: 09-4815 RS (RVTx)
STIPULATED AND [PROPOSED]
ORDER TO CONTINUE HEARING ON
MOTION TO ENFORCE SETTLEMENT
AGREEMENT
CIV. L.R. 6-1(a) and 7-7(b)
 Date: December 15, 2011
 Time: 1:30 p.m.
 Judge: Hon. Richard Seeborg
 Ctrm.: 3, 17th Floor

19 **STIPULATION**

20 Plaintiff Fitness Anywhere, Inc. (“Fitness Anywhere”) and Defendant Paul Fu (“Fu”) have
 21 executed a formal Settlement Agreement that fully settles all claims and demands, of whatever kind or
 22 nature, related in any manner to the above-captioned action. Pursuant to the Settlement Agreement,
 23 Plaintiff Fitness Anywhere and Defendant Paul Fu will dismiss all claims in the above-captioned
 24 action with prejudice, and anticipate doing so by January 3, 2012.

25 Based on the foregoing, and pursuant to Civil Local Rule 6-1(a) and 7-7(b), Fitness Anywhere
 26 and Fu hereby stipulate through their attorneys of record, and request that the Court at its convenience
 27 order that the hearing on Fu’s Motion to Enforce Settlement Agreement be taken off-calendar to
 28 enable the parties to finalize their Settlement Agreement.

1 SO STIPULATED:

2 Dated: December 13, 2011

Schein & Cai LLP

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/s/ James Cai

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By: _____
James Cai
Attorneys for Defendant PAUL FU

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6 Dated: December 13, 2011

Law Office of Omid A. Mantashi

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/s/ Omid A. Mantashi

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By: _____
Omid Mantashi
Attorneys for Plaintiff FITNESS ANYWHERE, INC.

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ORDER

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The Court having reviewed the Stipulation of Plaintiff Fitness Anywhere, Inc. (“Fitness Anywhere”) and Defendant Paul Fu (“Defendant”), and good cause appearing, hereby takes the hearing currently scheduled for December 15, 2011, off-calendar.

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15 SO ORDERED:

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Dated: 12/14/11

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Hon Richard Seeborg
United States District Court Judge

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