

E-Filed 12/20/11

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8 Attorney for Plaintiff

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

12 FITNESS ANYWHERE, INC.,

13 Plaintiff,

14 vs.

15 STANLEY YAN, *et al.*

16 Defendants.

17 Case No.: CV 09-04815 RS

18 STIPULATION AND
 19 ~~PROPOSED~~ ORDER OF DISMISSAL
 20 OF DEFENDANT TIMOTHY SANTOS

21 Hon. Richard Seeborg

1 WHEREAS Plaintiff Fitness Anywhere, Inc., and Defendant Stan Chin,
2 individually and doing business as PrimoFitness, have executed a settlement
3 agreement resolving all claims in this action, and are currently performing the terms
4 and conditions thereof;

5 NOW THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff
6 Fitness Anywhere, Inc., and Defendant Stan Chin, individually and doing business as
7 Primo Fitness, by and through their respective undersigned counsel of record, subject
8 to the Court's approval and order thereon, that:

- 9 1. Each of the undersigned parties' claims against the other are dismissed with
10 prejudice; and,
11 2. Each undersigned party shall bear its own costs and attorneys' fees.

12 IT IS SO STIPULATED.

13 Respectfully submitted,

14 For Plaintiff FITNESS ANYWHERE,
15 INC.

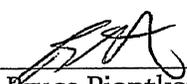
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17 Omid A. Mantashi
18 ATTORNEY AT LAW

19 12/19/2011

20 Date

For Defendant STAN CHIN

21 

22 Bruce Piontkowski
23 TINGLEY PIONTKOWSKI LLP

24 12/19/11

25 Date

26 IT IS SO ORDERED.

27 Dated: December 20, 2011, by:

28 

Hon. Richard Seeborg
United States District Court Judge
Northern District of California

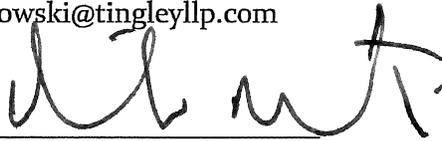
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CERTIFICATE OF SERVICE

It is hereby certified that on the 19th day of December, 2011, the foregoing
STIPULATION AND [PROPOSED] ORDER OF DISMISSAL OF DEFENDANT STAN
CHIN was filed and served on the following through the Northern District of
California ECF system:

Defendant Paul Fu: Jingming James Cai
 Schein & Cai LLP
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 San Jose, CA 95113
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Defendant Stan Chin: Bruce Piontkowski
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Omid A. Mantashi
Attorney for Plaintiff
FITNESS ANYWHERE