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

11 CITY OF SUMMERSIDE, Prince Edward
 12 Island, Canada,
 13 Plaintiff,

14 v.

15 KATRINA BERG SUSSMEIER, FRANK
 DILEO, MARK LAMICA, QUINCY
 16 KRASHNA, as individuals, STARLINK
 PRODUCTIONS, LLC, STARLINK
 17 PRODUCTIONS, INC.; DLM
 MANAGEMENT GROUP, INC.; DILEO
 18 ENTERTAINMENT & TOURING INC.;
 DILEO ENTERTAINMENT, INC.; DILEO
 19 LAMICA MANAGEMENT GROUP; DLM
 GROUP

20 Defendants.
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Case No. CV11-00338- EJD

**STIPULATION AND ~~PROPOSED~~
 ORDER RE HEARING SCHEDULED
 FOR JANUARY 6, 2012**

Hon. Edward J. Davila

Crtrm.: 1

Trial Date: Not set

1 Plaintiff City of Summerside (“Summerside”), on the one hand, and
2 Defendants Katrina Berg Sussmeier, StarLink Productions LLC, and StarLink
3 Productions, Inc. (the “Sussmeier Defendants”) on the other, through their
4 respective undersigned counsel, hereby stipulate and request entry of an order of the
5 Court as follows:

6 WHEREAS, a hearing in this matter is currently scheduled for January 6,
7 2012 ;

8 WHEREAS, Summerside and the Sussmeier Defendants are negotiating and
9 are in the process of finalizing a mutual settlement agreement that resolves, as
10 between the Parties, the above-captioned lawsuit;

11 WHEREAS, the Parties wish to complete their settlement negotiations, and
12 currently anticipate providing the Court with a final settlement agreement and order
13 confirming that agreement shortly;

14 NOW, THEREFORE, the Parties hereby agree and stipulate as follows:

- 15 1. The motion by the Sussmeier Defendants scheduled for January
16 6, 2012 (Docket No. 33) shall be taken off calendar.

17 Dated: December 14, 2011 KENDALL BRILL & KLIEGER LLP

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19 By: /s/
20 Nicholas F. Daum
21 Attorneys for Plaintiff City of Summerside
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1 Dated: December 15, 2011

CHRISTOPHERSON LAW OFFICES

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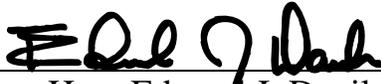
By: /s/

Ian Christopherson
Attorneys for Defendants Katrina Berg
Sussmeier, StarLink Productions, LLP and
StarLink Productions, Inc.

~~PROPOSED~~ ORDER

1. The Sussmeier Defendants' motion scheduled for January 6, 2012 (Docket No. 33) shall be taken off calendar. Based on the stipulated representations, the clerk shall terminate Docket Item Nos. 10 and 33. Defendant Dileo's Motion to Dismiss (Docket Item No. 36) and Plaintiff's Motion to Substitute (Docket Item No. 55) remain on calendar for January 6, 2012, unless the court is notified otherwise.
IT IS SO ORDERED.

Dated: December 19, 2011


Hon. Edward J. Davila
Judge, United States District Court