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 8 Attorneys for Defendant,  
 Cycle Gear, Inc.

9 UNITED STATES DISTRICT COURT  
 10 DISTRICT OF NEVADA

11 STEVE S. HARWELL,  
 12 Plaintiff,  
 13 vs.  
 14 CYCLE GEAR, INC. a California  
 Corporation; ASV inventions, inc., a  
 15 California Corporation; DOE  
 DEFENDANTS 1-10; and ROE  
 16 DEFENDANTS 1-10; inclusive,  
 17 Defendant.

) Case No. 2:11-CV-01126-ECR-RJJ  
 ORDER GRANTING  
 ) **STIPULATION AND ORDER TO  
 WAIVE PLAINTIFF'S CLAIMS  
 FOR ATTORNEY'S FEES, COSTS  
 AND EXPENSES AND TO  
 REMAND THE HARWELL  
 ACTION TO STATE COURT**

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 19 Comes now Plaintiff, Steve Harwell (hereinafter "Harwell"), and Defendants, Cycle Gear,  
 20 Inc. (hereinafter "Cycle Gear"), and ASV Inventions, Inc. (hereinafter "ASV"), by and through  
 21 their counsel of record, Mark G. Henness, Esq., Nelson L. Cohen, Esq., and Bruce Dickinson, Esq.,  
 22 respectively, and hereby stipulate to the following:

23 (1). That Harwell waive any and all claims for attorney's fees, costs and expenses against both  
 24 Defendants in connection with his Motion to remand the Harwell Action, Case No: 2:11-CV-  
 25 01126-ECR-RJJ, to State Court; and

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1 (2). That counsel for Harwell, Cycle Gear, and ASV hereby stipulate to remand the Harwell  
2 Action State Court.

3 Dated: August 8, 2011

4  
5 HENNESS & HAIGHT

BREMER WHYTE BROWN &  
O'MEARA, LLP

6  
7 By \_\_\_\_\_

By  \_\_\_\_\_

8 Mark G. Henness, Esq.  
9 Counsel for Plaintiff,  
Steve Harwell

Nelson L. Cohn, Esq.  
Karen M. Baytosh, Esq.  
Counsel for Defendant,  
Cycle Gear, Inc.

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11 STEPHENSON & DICKENSON, P.C.

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13 By  \_\_\_\_\_

14 Bruce Scott Dickinson, Esq.  
15 Counsel for Defendant,  
ASV Inventions, Inc.

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**ORDER**

It is hereby ORDERED, ADJUDGED AND DECREED that:

(1) Plaintiff hereby waives any and all claims for attorney's fees, costs and expenses against both Defendants in connection with his Motion to remand the Harwell Action, Case No.: 2:11-CV-01126-ECR-RJJ, to state court; and

(2) Counsel for all parties herein stipulate to remand the Harwell Action to state court.

Respectfully Submitted on the August 8, 2011.

Dated August 10, 2011.

**IT IS SO ORDERED**

*Edward C. Reed.*

UNITED STATES DISTRICT JUDGE

By 

Nelson L. Cohn, Esq.  
Karen M. Baytosh, Esq.  
Counsel for Defendant,  
Cycle Gear, Inc.