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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON, SEATTLE

**OMNI INNOVATIONS, LLC, a
Washington Limited Liability
company; and JAMES S. GORDON,
JR., a married individual,**

NO. CV6-1350 JCC

**STIPULATION TO STAY
LITIGATION**

Plaintiffs,

v.

**BMG COLUMBIA HOUSE, INC., a
New York corporation; and JOHN
DOES, I-X,**

Defendants,

STIPULATION

Plaintiffs and Defendant, and by and through their undersigned attorneys of record hereby stipulate and jointly hereby move the Court for an order staying this litigation pending Plaintiffs' appeal to the US Circuit Court of Appeals For the Ninth Circuit in *Gordon v Virtumundo, et al.*, CV06-0204.

STIPULATION TO STAY -1

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1 Plaintiffs have filed an appeal to the US Court of Appeals for the Ninth Circuit in
2 *Virtumundo*. Although some of the factual issues in the present case differ from those in
3 *Virtumundo*, the fundamental issue of Plaintiffs' standing is common, and critical to both cases.

4 Accordingly, there is good cause to stay this litigation to preserve judicial economy as
5 well as the resources of the parties hereto.

6 **RESPECTFULLY SUBMITTED** this 22nd day of August, 2007.

7
8 DOUGLAS E. MCKINLEY, JR.
9 Attorney at Law

i. Justice Law, P.C.

10 /S/ Douglas E. McKinley, Jr.
11 Douglas E. McKinley, Jr., WSBA #20806
12 Attorney for Plaintiffs

/S/ Robert J. Siegel
Robert J. Siegel, WSBA #17312
Attorney for Plaintiffs

13 **BRESKIN JOHNSON & TOWNSEND PLLC**

14 /s/ Roger Townsend
15 Roger M. Townsend.

16 **Certificate of Service**

17 I, hereby, certify that on August 22, 2007, I filed the attached pleading with this Court via
18 approved electronic filing, and served the following:
19 Attorneys for Defendants: Roger Townsend

20 **i. Justice Law, PC**
21 PO Box 25817
22 Seattle, WA 98165-1317

23 /s/ Robert J. Siegel
24 Attorneys for Plaintiffs.

25 STIPULATION TO STAY -2

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