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The Honorable James L. Robart

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

MICHAEL A. GRASSMUECK, Court-Appointed Receiver,

Plaintiff,

v.

ZHOU YAN, an individual, and DOES 1 THROUGH 10, inclusive,

Defendant.

Case No. 2:17-cv-00794-JLR

STIPULATED MOTION AND ~~PROPOSED~~ ORDER TO SEAL PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANT'S MOTION TO FILE SUPPLEMENTAL DECLARATION OF RICHARD J. TROBERMAN UNDER SEAL

NOTED ON MOTION CALENDAR:  
Date of Filing per Local Civil Rules 10(g), 7(d)1.

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**STIPULATED MOTION**

**PLEASE TAKE NOTICE THAT** Plaintiff Michael A. Grassmueck ("Receiver"), Court-appointed receiver for Path America LLC, et al., and Defendant Zhou Yan ("Zhou"), hereby respectfully submit this Stipulation Motion for approval to file the Receiver's Response in Opposition to Motion to File Supplemental Declaration of Richard J. Troberman ("Response in Opposition"), under seal.

**WHEREAS**, on June 29, 2017, Zhou filed a Motion to Stay Proceedings ("Motion for Stay"), seeking to stay this action for a period of six months; and

**WHEREAS**, on July 10, 2017, the Receiver filed a response in opposition to the Motion for Stay; and

**WHEREAS**, on July 14, 2017, Zhou filed her reply in support of her Motion for Stay, and in connection therewith, filed a Motion to File Supplemental Declaration of Richard J. Troberman Under Seal Pursuant to LCR5(g) ("Motion to Seal") accompanied by the submittal of a sealed Supplemental Declaration of Richard J. Troberman ("Supplemental Declaration"); and

**WHEREAS**, the Receiver does not agree that it is appropriate to seal the Supplemental Declaration and is therefore filing his Response in Opposition. However, because the Receiver's Response in Opposition references and describes the specific information contained in the Supplemental Declaration, which has been submitted under seal, the Receiver is also submitting his Response in Opposition under seal out of an abundance of caution; and

**WHEREAS**, the Receiver's counsel met and conferred with counsel for Zhou to discuss the matter on July 20, 2017 and July 21, 2017 (by way of emails and phone calls), and

**WHEREAS**, an unredacted, unsealed copy of the Response in Opposition (**Exhibit 1** to this Stipulation) was not provided to counsel for Zhou at the time of the meet and confer up to the time of filing of this Stipulation, and the contents of the Response in Opposition were not disclosed to Zhou's counsel prior to the filing of this Stipulation (**Exhibit 1** attached hereto is almost entirely redacted); and

1           **WHEREAS**, given Zhou's understanding that the Receiver's Response in Opposition  
2 references matters contained in the Supplemental Declaration, which was appropriately submitted  
3 under seal, and in an effort to avoid additional expenses and unnecessary litigation, Zhou has  
4 agreed to this Stipulation.

5           **THEREFORE**, the Receiver and Zhou hereby **STIPULATE** and **AGREE** as follows:

6           1.       The Receiver's Response in Opposition, a redacted copy of which is attached hereto  
7 as **Exhibit 1**, may be filed under seal until further Order of the Court.

8           **IT IS SO STIPULATED.**

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1 Dated: July 26, 2017

ALLEN MATKINS LECK GAMBLE  
MALLORY & NATSIS LLP

2  
3 By: /s/ Tim C. Hsu

4 David R. Zaro, Esq. #124334 (CA)  
5 *(Pro Hac Vice Granted May 23, 2017)*  
6 Michael R. Farrell, Esq. #173831 (CA)  
7 *(Pro Hac Vice Granted May 23, 2017)*  
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18 *Attorneys for Plaintiff*  
19 MICHAEL A. GRASSMUECK,  
20 *Court-appointed receiver*

12 Dated: July 26, 2017

HACKER & WILLIG, INC., P.S.

14 By: /s/ Charles L. Butler, III

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21 *Attorneys for Zhou Yan*

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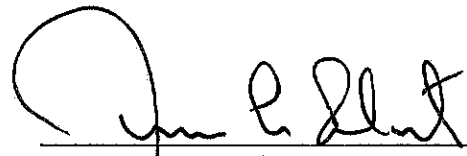
~~PROPOSED~~ ORDER

The Court, having reviewed the Stipulated Motion and [Proposed] Order to Seal Response In Opposition to Motion to File Supplemental Declaration of Richard J. Troberman Under Seal (the "Stipulated Motion"), submitted jointly by Plaintiff Michael A. Grassmueck ("Receiver") and Defendant Zhou Yan, which seeks an order for the Receiver to file, under seal, his Response in Opposition to Zhou's Motion to File Supplemental Declaration of Richard J. Troberman Under Seal, and good cause appearing therefor, hereby **ORDERS** as follows:

1. The Stipulated Motion is hereby approved; and
2. The Receiver may file, under seal, his Response in Opposition to Zhou's Motion to File Supplemental Declaration of Richard J. Troberman Under Seal.

**IT IS SO ORDERED.**

Dated: 27 July, 2017




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Hon. James L. Robart  
Judge, United States District Court

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**CERTIFICATION OF MEET AND CONFER**

In accordance with Local Civil Rule 5(g)(3)(A), I hereby certify that I met and conferred with counsel for Defendant Zhou Yan on July 20, 2017 and July 21, 2017, by way of e-mail and a phone call with Zhou's counsel. I explained to counsel that because the Receiver's response in opposition to Zhou's motion to seal discusses the substance of the supplemental declaration of Richard J. Troberman, submitted under seal by Zhou, the Receiver intended to move this Court to file his response in opposition under seal as well out of an abundance of caution. Zhou's counsel confirmed their agreement that the Receiver may submit his response in opposition under seal and agreed to this stipulation.

Dated: July 26, 2017

/s/ Tim C. Hsu  
Tim C. Hsu, Esq. #279208 (CA)  
(Pro Hac Vice Granted May 23, 2017)

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 26, 2017, I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of the filing to all counsel of record.

Dated: July 26, 2017

/s/ Tim C. Hsu  
Tim C. Hsu, Esq. #279208 (CA)  
(Pro Hac Vice Granted May 23, 2017)