

1 Robert W. Payne (Bar No. 073901)  
Brent A. Capehart, (Okla. Bar No. 174847) *Pro Hac Vice*  
2 LaRiviere, Grubman & Payne, LLP  
19 Upper Ragsdale Drive, Suite 200  
3 P.O. Box 3140  
Monterey, CA 93940

4 Attorneys for Plaintiff MONSTER CABLE  
5 PRODUCTS, INC.

6 Daniel J. Kelly (Bar No. 145088)  
L. Julius M. Turman (Bar No. 226126)  
7 HAIGHT BROWN & BONESTEEL LLP  
100 Bush Street, 27th Floor  
8 San Francisco, California 94104-3967  
Telephone: 415.986.7700  
9 Facsimile: 415.986.6945

10 Attorneys for Defendant  
11 BUTLER CHEMICAL LLC

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 MONSTER CABLE PRODUCTS, INC., a  
California corporation,

16 Plaintiff,

vs.

17 BUTLER CHEMICAL LLC, a New York  
18 limited liability company, et al.,

19 Defendant.

20 BUTLER CHEMICAL LLC, a New York  
21 limited liability company,

22 Counterclaimant,

vs.

23 MONSTER CABLE PRODUCTS, INC., a  
24 California corporation; and Does 51  
through 100, inclusive,

25 Counterdefendant.  
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Case No. C 04 1034 EMC

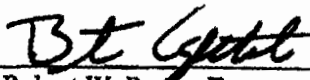
**JOINT STIPULATION OF  
DISMISSAL** ; *over*

1 Pursuant to Federal Rules of Civil Procedure, Rule 41, Plaintiff Monster Cable  
2 Products, Inc. ("Monster") and Defendant Butler Chemical LLC. ("Butler") hereby notify  
3 the Court that they have settled the claims in this action, and therefore jointly stipulate to  
4 the dismissal of this action with prejudice, with the parties to bear their own attorney's fees  
5 and costs associated with this action.

6 WHEREFORE, the Parties respectfully request an entry of an Order dismissing this  
7 action with prejudice. A proposed Order is attached.


8  
9 Dated: January 21, 2006

LARIVIERE, GRUBMAN & PAYNE, LLP

10  
11 By:   
12 Robert W. Payne, Esq.  
13 Brent A. Capehart, Esq.  
14 Attorneys for Defendant  
MONSTER CABLE  
PRODUCTS, INC.

15 Dated: January 23, 2006

HAIGHT BROWN & BONESTEEL LLP

16  
17 By:   
18 Daniel J. Kelly  
19 L. Julius M. Turman  
20 Attorneys for Defendant  
21 BUTLER CHEMICAL LLC  
22  
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Brent A. Capehart, (Okla. Bar No. 174847) *Pro Hac Vice*  
2 LaRiviere, Grubman & Payne, LLP  
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Monterey, CA 93940

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5 PRODUCTS, INC.

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L. Julius M. Turman (Bar No. 226126)  
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8 San Francisco, California 94104-3967  
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10 Attorneys for Defendant  
BUTLER CHEMICAL LLC

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 MONSTER CABLE PRODUCTS, INC., a )  
15 California corporation, )

Case No. C 04 1034 EMC

16 Plaintiff,  
17 vs.

**ORDER OF DISMISSAL WITH  
PREJUDICE**

18 BUTLER CHEMICAL LLC, a New York  
limited liability company, et al.,

19 Defendant.

20 BUTLER CHEMICAL LLC, a New York  
21 limited liability company,

22 Counterclaimant,  
23 vs.

24 MONSTER CABLE PRODUCTS, INC., a  
California corporation; and Does 51  
through 100, inclusive ,

25 Counterdefendant.  
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1 THIS CAUSE came before the Court on the Joint Stipulation of Dismissal With  
2 Prejudice. This Court, finding that the Parties have resolved the claims in this action and  
3 therefore agree to the dismissal of this action with prejudice, and being otherwise fully  
4 advised in the premises, hereby

5 ORDERS AND ADJUDGES that this Action is hereby DISMISSED WITH  
6 PREJUDICE with all parties to bear their own attorney's fees and costs.

7 DONE AND ORDERED this 24<sup>th</sup> day of January 2006.

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10 EDWARD M. CHEN  
11 United States Magistrate Judge  
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1 **PROOF OF SERVICE**

2 I am over the age of 18 years of age and not a party to the within action. My business  
3 address is P.O. Box 3140, Monterey, California 93940. On January 23, 2006, I served the  
4 following documents:

5 **1. JOINT STIPULATION FO DISMISSAL AND [PROPOSED] ORDER.**

6 by placing a true copy thereof enclosed in a sealed envelope and served in the manner described  
7 below to the interested party herein and addressed to:

8  
9 Julius Turman, Esq.  
10 HIGHT BROWN & BONESTEEL LLP  
11 100 Bush Street, 27<sup>th</sup> Floor  
12 San Francisco, CA 94104-3967

13 X **MAIL:** I caused such envelope(s) to be deposited in the mail at my business address, with  
14 postage thereon fully prepaid, addressed to the addresses(s) designated by U.S. Mail. I  
15 am readily familiar with the business' practice of collecting and processing correspondence  
16 to be deposited with the United States Postal Service on that same day in the ordinary  
17 course of businesses.

18        **HAND DELIVERY:** I caused such envelope(s) to be delivered by hand to the addressee(s)  
19 designated.

20        **BY FACSIMILE:** By use of facsimile machine telephone number ( ) \_\_\_\_\_, I  
21 served a copy of the within documents on the below party at the facsimile number listed.  
22 The transmission was reported as complete and without error.

23 X **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court  
24 at whose direction the service was made.

25 Executed on January 23, 2006 at Monterey, California.

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Marie Crépeau