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16 SUPERIOR COURT OF THE STATE OF CALIFORNIA

17 COUNTY OF SAN FRANCISCO

19 DEEM, INC., and GLOBAL GROUND
AUTOMATION, INC.,

20 Plaintiffs,

21 v.

22 APURVA PATEL, an individual, ORISSA
HOLDINGS, LLC, individually and dba
GROUNDWIDGETS,

24 Defendants.

Case No. CGC-15-543482

**JOINT STIPULATION RE
DISMISSAL WITHOUT PREJUDICE**

Complaint Filed: January 2, 2015
Trial Date: None

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ELECTRONICALLY
FILED
*Superior Court of California
County of San Francisco*
07/23/2015
Clerk of the Court
BY:MICHAEL RAYRAY
Deputy Clerk

STIPULATION

WHEREAS plaintiffs Deem, Inc. and Global Ground Automation, Inc. (collectively, "plaintiffs") filed the Complaint in this action on January 2, 2015 (the "Action");

WHEREAS plaintiffs filed their Request for Entry of Default on February 26, 2015;

WHEREAS defendants Orissa Holdings, GroundWidgets, and Apurva Patel (collectively, "defendants") filed an Unopposed Motion to Set Aside Entry of Default on March 23, 2015;

WHEREAS the Court granted the Unopposed Motion to Set Aside Entry of Default on May 19, 2015;

WHEREAS defendants filed their Demurrer to the Complaint on May 29, 2015;

WHEREAS defendants filed their Motion to Stay Based on Forum Non Conveniens on May 29, 2015;

WHEREAS defendants' Demurrer to the Complaint and Motion to Stay Based on Forum Non Conveniens are both scheduled to be heard on August 4, 2015;

WHEREAS the Case Management Conference has been scheduled for September 23, 2015;

WHEREAS limited discovery has occurred in this action;

WHEREAS no trial date has been set;

NOW, THEREFORE, THE PARTIES, THROUGH THEIR COUNSEL OF RECORD,
STIPULATE AS FOLLOWS:

1. The Action is hereby dismissed without prejudice, with each side to bear its own attorneys' fees and costs.

2. Plaintiffs shall have 60 days from the date of the Order dismissing the Action to re-file the Action in either the U.S. District Court for the District of New Jersey or New Jersey Superior Court, depending on where subject matter jurisdiction is proper (the “New Jersey action”).

3. The statute of limitations on all of plaintiffs' claims against defendants shall be tolled from January 2, 2015 to the date of filing of the New Jersey action so long as the case is re-filed within 60 days of dismissal of the California Action.

1 4. All parties may commence discovery in the New Jersey action upon service by
2 plaintiffs of the complaint on defendants. Counsel for defendants in this Action and defendants'
3 New York attorney, Barry Werbin, Esq., agree to collectively accept service in the New Jersey
4 action on behalf of defendants. For service of the New Jersey action pursuant to this paragraph
5 to be effective, plaintiffs shall, on the same day, serve Howard Slavitt via both email and
6 overnight mail or certified mail, and also Barry Werbin via both email and overnight or certified
7 mail.

8 5. Discovery produced in the Action shall be deemed produced in the future New
9 Jersey action after the New Jersey complaint is filed and served, and shall remain subject to the
10 protective order agreement that the parties' counsel signed in the Action. The parties shall
11 negotiate an appropriate form of protective order in the New Jersey action that conforms with the
12 requirements of the New Jersey court in which it is filed.

13 6. Except as and only to the extent otherwise explicitly provided herein, by entering
14 into this stipulation neither plaintiffs nor defendants waive, and each expressly reserves, all
15 rights, claims and defenses that each has in the Action and the New Jersey action.

16 7. The parties request that the Case Management Conference scheduled for
17 September 23, 2015 in the Action be taken off calendar and vacated.

18 IT IS SO STIPULATED.

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21 DATED: July 23, 2015

GREENBERG TRAURIG LLP

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By: /s/ Ian C. Ballon

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Ian C. Ballon

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Attorneys for Plaintiffs

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Global Ground Automation, Inc. and Deem, Inc.

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2 DATED: July 23, 2015

COBLENTZ PATCH DUFFY & BASS LLP

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By: /s/ Howard A. Slavitt

Howard A. Slavitt

Attorneys for Defendants

Apurva Patel, Orissa Holdings, LLC, dba
GroundWidgets

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I am employed in the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is **4 Embarcadero Center, Suite 3000, San Francisco, California 94111**.

On the date given below, I served the **JOINT STIPULATION RE DISMISSAL WITHOUT PREJUDICE** on the interested parties in this action as follows:

Jeffrey G. Knowles
Howard A. Slavitt
Fredrick C. Crombie
Coblentz Patch Duffy & Bass LLP
One Ferry Building, Suite 200
San Francisco, CA 94111
Email: jgk@coblentzlaw.com;
hslavitt@cpdb.com; ef-fcc@cpdb.com

Defendants APURVA PATEL and ORISSA HOLDINGS, LLC dba GROUNDWIDGETS

- (BY U.S. MAIL)**
I placed the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California, addressed as set forth above, or as stated on the attached service list. I am readily familiar with the business practice of my place of employment in respect to the collection and processing of correspondence, pleadings and notices for mailing with United States Postal Service/Express Mail, Federal Express and other overnight mail services. The foregoing sealed envelope was placed for collection and mailing this date consistent with the ordinary business practice of my place of employment, so that it will be picked up this date with postage thereon fully prepaid at San Francisco, California, in the ordinary course of such business.

(BY E-MAIL)
I caused the documents to be sent to the persons at the e-mail addresses listed above, or as stated on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 23, 2015, at San Francisco, California.

By: /s/ Sharon J. Skandalaris
Sharon J. Skandalaris