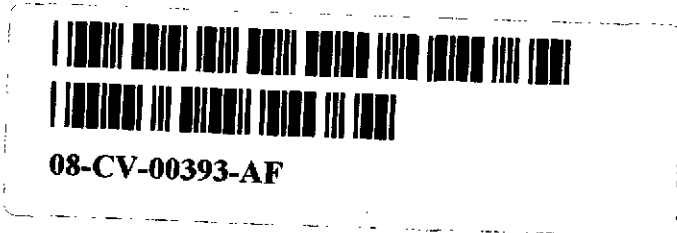


The Honorable Thomas S. Zilly



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ZOVO LINGERIE COMPANY, LLC, a
Washington Limited Liability Company,

Plaintiff,

v.

DMH ENTERPRISES, INC., a Nevada
corporation, and DEANNA HODGES, an
individual, collectively doing business as
ZOVA LA,

Defendants.

No. C08-0393 TSZ

STIPULATION AND ORDER
REGARDING TRANSFER OF
CASE

STIPULATION

The parties, through their undersigned counsel of record, hereby stipulate:

a. The above-captioned matter now pending before the United States District
Court, Western District of Washington, shall be transferred pursuant to 28 U.S.C.
§ 1406(a) to the United States District Court, Central District of California, Southern
Division, Santa Ana, California;

b. Defendants' responsive pleading to Plaintiff's Complaint and ^{their} ~~its~~ responses

1 to any outstanding discovery requests already issued to the Defendants shall be due no
2 later than twenty (20) days from the date the case is assigned to and accepted by the United
3 States District Court, Central District of California, Southern Division, Santa Ana,
4 California. Any discovery requests already issued to the Defendants shall be subject to the
5 local rules for the United States District Court, Central District of California, Southern
6 Division, Santa Ana, California;

7 c. This stipulation and agreement will not have prejudicial effects of any kind
8 or type whatsoever, on Defendants' rights, including but not limited to arguments,
9 affirmative defenses, legal theories, jurisdictional and venue challenges;

10 d. In the event that the matter cannot be transferred to United States District
11 Court, Central District of California, Southern Division, Santa Ana, California, the above-
12 captioned matter shall be returned to the United States District Court, Western District of
13 Washington, without prejudice to Defendants' pending challenge of jurisdiction.

14 //

15 //

1
2 DATED this 20th day of August, 2008.

3 Davis Wright Tremaine LLP
4 Attorneys for Plaintiff Zovo Lingerie
5 Company, LLC

Stoel Rives LLP
Attorneys for Defendants DMH
Enterprises, Inc. and Deanna Hodges

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By Vanessa Soriano Power
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16 **ORDER**

17 Defendants' motion to dismiss, docket no. 7, is STRICKEN without prejudice.
18 IT IS SO ORDERED.

19 AUGUST 22, 2008

20 Thomas S. Zup
21 UNITED STATES DISTRICT JUDGE

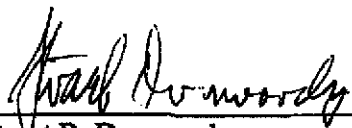
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23 STIPULATION AND ORDER REGARDING TRANSFER
OF CASE (C08-0393 TSZ) — 3

DWT 11598196v2 0086376-000001

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16 Attorneys for Defendants DMH
17 Enterprises, Inc. and Deanna Hodges

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STIPULATION AND ORDER REGARDING TRANSFER
OF CASE (C08-0393 TSZ) — 4

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