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2003 MAY -2 AM 10:08
CLERK, U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

LOGGED

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION

FILED
CLERK, U.S. DISTRICT COURT
JUN 6 2003
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

14 HSIAO & MONTANO, INC., a California
15 Corporation, dba ODYSSEY INNOVATIVE
16 DESIGNS,

17 Plaintiff,

18 vs.

19 TOPTONE MANUFACTURING, INC., a
20 California Corporation, CRYSTAL
21 WANG, an individual, JOHN WANG, an
22 individual, and DOES 1 to 10,
23 inclusive,

24 Defendants.

25 TOPTONE MANUFACTURING, INC., a
26 California Corporation, CRYSTAL
27 WANG, an individual, JOHN WANG, an
28 individual,

Counter-Claimants,

vs.

JOHN HSIAO, an individual; MARIO
MONTANO, an individual; and ROES 1
to 20, inclusive,

Counter-Defendants.

CASE NO. CV 02-1193 RGK
(SHx)

[Assigned to Judge
R. Gary Klausner]

**STIPULATED CONSENT
JUDGMENT PURSUANT TO THE
SETTLEMENT AGREEMENT**

JUN 10 2003

31

1 Plaintiff, having filed its Complaint, and defendants, having
2 filing an Answer and Counterclaim, have hereby agreed through a
3 Settlement Agreement Dated April 15, 2003 to the entering of a
4 Stipulated Consent Judgment.

5
6 IT IS HEREBY STIPULATED by plaintiff and defendants, through their
7 respective counsel, that the following Final Judgment and Injunction is
8 entered against Defendants.

9
10 IT IS ORDERED, ADJUDGED, AND DECREED,
11 that:

12
13 1. Plaintiff and Counter-defendant Hsiao & Montano, Inc. is a
14 California corporation doing business as Odyssey Innovative Designs
15 within the County of Los Angeles, State of California.

16
17 2. Defendant and counter-claimant Toptone Manufacturing, Inc.,
18 Inc. is a California corporation having its principal place of business
19 at: 1830 Belcroft Avenue, City of South El Monte, County of Los Angles,
20 State of California.

21
22 3. Defendant and counter-claimant Crystal Wang is an individual
23 having her principal place of business at: 1830 Belcroft Avenue, City of
24 South El Monte, County of Los Angles, State of California.

25
26 4. Defendant and counter-claimant John Wang is an individual
27 having her principal place of business at: 1830 Belcroft Avenue, City of
28

1 South El Monte, County of Los Angeles, State of California. Toptone
2 Manufacturing, Inc., Crystal Wang, and John Wang are collectively
3 referred to herein as "Defendants"

4
5 5. As between the parties herein, United States Patent No.
6 6,129,231 is valid.

7
8 6. Defendants are hereby permanently enjoined from production,
9 manufacturing, sale, distribution, or participation in the production,
10 manufacturing, sale or distribution of any products that are within the
11 scope of the U.S. Patent, including but not limited to the following
12 products having the following model numbers that incorporate the
13 patented inventions that include Slide Members: GS 201-10 X 4; GS 201-12
14 X 4; GS 201-14 X 4; GS 201-16 X 4; GS-1400; GS-1900; GS-2014 X 4; GS-
15 2016 X 4; GS 2018 X 4; M-1400; GS-1400, and all versions thereof. The
16 term "Slide Members" is defined in the April 15, 2003 executed
17 Settlement Agreement in connection to this action.

18
19 7. Plaintiff and Defendants waive their respective right of appeal
20 in connection with this Stipulated Consent Judgment.

21
22 The parties hereby stipulate to the entry of this Judgment.

23
24 PLAINTIFF AND COUNTER-DEFENDANT:

25 HSIAO & MONTANO, INC.

26 DATED: 4-15-03

27 BY: John Hsiao
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STIPULATED CONSENT JUDGMENT

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COUNTER-DEFENDANTS:

DATED: 4-15-03

John Hsiao
John Hsiao

DATED: 4-15-03

Mario Montano
Mario Montano

DEFENDANTS AND COUNTER-CLAIMANTS

TOPTONE MANUFACTURING, INC.

DATED: 4/3/03

BY: Crystal Wang
CRYSTAL WANG, PRESIDENT

DATED: 4/3/03

Crystal Wang
CRYSTAL WANG

DATED: 4/3/03

John Wang
JOHN WANG

Approved as to form and content:

WU & CHEUNG, LLP

By: Charles C.H. Wu
CHARLES C.H. WU
MARK CHEUNG
CAROLYN N. KO

Attorneys for Plaintiff / Counter-defendants
HSIAO & MONTANO, INC., et al.

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\\ \ \
\\ \ \

1 CECILIA YU & ASSOCIATES

2

3 By: 

CECILIA YU

4 Attorney for Defendants / Counter-claimants
5 Toptone Manufacturing, Inc., et al.

6

7

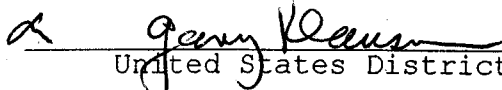
IT IS SO ORDERED.

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JUN 6 2003

9 DATED: _____

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United States District Judge
GARY KLAUSNER

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1 PROOF OF SERVICE

2 1013A(3) CCP Revised 5/1/88

3 STATE OF CALIFORNIA, COUNTY OF ORANGE

4 I am employed in the County of Orange, State of California. I am over the age
5 of 18 and not a party to the within action; my business address is 7700 Irvine Center
6 Drive, Suite 710, Irvine, CA 92618-3043.

7 On April 30, 2003, I served the foregoing document(s) described as:

8 STIPULATED CONSENT JUDGMENT PURSUANT TO THE SETTLEMENT AGREEMENT

9 on all interested parties in this action

10 [X] by placing [] the original [X] a true copy thereof enclosed in sealed envelopes
11 addressed as follows:

12 CECILIA YU, ESQ.
13 THE LAW OFFICES OF CECILIA L. YU & ASSOCIATES
14 17800 CASTLETON STREET, SUITE 415
15 CITY OF INDUSTRY, CA 91748

16 [] BY FACSIMILE TO: (626) 854 - 2123 (CRC 2008)

17 [X] BY MAIL

18 [] *I deposited such envelope in the mail at Irvine, California.
19 The envelope was mailed with postage thereon fully prepaid.

20 [X] As follows: I am readily familiar with the firm's practice of collection
21 and processing correspondence for mailing. Under that practice it would be deposited
22 with U.S. postal service on that same day with postage thereon fully prepaid at Irvine,
23 California in the ordinary course of business. I am aware that on motion of the party
24 served, service is presumed invalid if postal cancellation date or postage meter date
25 is more than one day after date of deposit for mailing in affidavit.

26 [] ** (BY PERSONAL SERVICE) I delivered such envelope by hand to Ms. Yu.

27 Executed on April 30, 2003, at Irvine, California.

28 [] (State) I declare under penalty of perjury under the laws of the State of
California that the above is true and correct.

[X] (Federal) I declare that I am employed in the office of a member of the bar of
this court at whose direction the service was made.



Charles C.H. Wu