

1 Sean E. Macias, SBN 201973  
2 **MACIAS COUNSEL, INC.**  
3 302 W. Colorado Blvd.  
4 Pasadena, California 91105  
5 Tel: (626) 844-7707  
6 Fax: (626) 844-7717

7 Robert C. Kain, Jr. (pro hac vice)  
8 Darren Spielman (pro hac vice)  
9 Kain & Associates, Attorneys at Law, P.A.  
10 900 S.E 3<sup>rd</sup> Ave, Suite 205  
11 Ft. Lauderdale, FL 33316  
12 Tel: 954-768-9002  
13 Fax: 954-768-0158

14 Attorneys for Defendants Exist, Inc.

15 **UNITED STATES DISTRICT COURT**  
16 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

17 ADVANCED VISUAL IMAGE ) Case No.: CV10-9383 JGB (AJWx)  
18 DESIGN, LLC, dba AVID INK, a ) *Honorable Jesus G. Bernal Presiding*  
19 California Limited Liability Company )

20 Plaintiff, ) **JOINT NOTICE OF SETTLEMENT**  
21 ) **AND REQUEST FOR 30 DAY**  
22 ) **SUSPENSION OF CASE**

23 v. )

24 EXIST, INC., a Florida Corporation; )  
25 ROSS STORES, INC., a California )  
26 Corporation, and DOES 1-10, )

27 Defendants. )  
28 )

1 Defendant EXIST, INC. and Plaintiff ADVANCED VISUAL IMAGE  
2 DESIGN, LLC, dba AVID INK hereby file this Joint Notice of Settlement and  
3 request to suspend all case activity for 30 days. The parties have reached a  
4 tentative settlement agreement, and desire an opportunity to finalize the terms into  
5 a written agreement. As a result, the parties wish that the Court enter a stay of all  
6 case activity for 30 days, including entry of judgment. The parties anticipate filing  
7 a formal request to dismiss the case after execution of a written settlement  
8 agreement.

9  
10  
11 By:     s/Robert Kain                    

12 Robert C. Kain, Jr.  
13 **Kain & Associates**  
14 900 S.E. 3<sup>rd</sup> Ave. Suite 205  
15 Ft. Lauderdale, FL  
16 Tel: (954) 768-9002  
17 Fax: (954) 768-0158  
18 Attorneys for Defendants  
Exist, Inc.  
Admitted Pro Hac Vice

19 Sean E. Macias, SBN 201973  
20 MACIAS COUNSEL, INC.  
21 302 W. Colorado Blvd.  
22 Pasadena, California 91105  
23 Tel: (626) 844-7707  
24 Fax: (626) 844-7717  
Attorneys for Defendant Exist, Inc.

25 By:     s/Stephen Doniger  

26 Stephen M. Doniger, Esq.  
27 Stephen@donigerlawfirm.com  
28 DONIGERIBURROUGHS APC

1 300 Corporate Pointe, Suite 355  
2 Culver City, CA 90230  
3 Attorneys for Plaintiff  
4  
5  
6

7 **Certificate of Service**

8 I hereby certify that on \_\_February 3, 2014\_\_\_\_\_, I electronically filed the  
9 foregoing document with the Clerk of the Court using CM/ECF. I also certify that  
10 the foregoing document is being served this day on all counsel of record or pro se  
11 parties identified on the attached Service List in the manner specified, either via  
12 transmission of Notices of Electronic Filing generated by CM/ECF or in some  
13 other authorized manner for those counsel or parties who are not authorized to  
14 receive electronically Notices of Electronic Filing.

15  
16 Stephen M. Doniger, Esq.  
17 Stephen@donigerlawfirm.com  
18 DONIGERIBURROUGHS APC  
19 300 Corporate Pointe, Suite 355  
20 Culver City, CA 90230  
21 Attorney for Plaintiff

22 s/Robert Kain  
23 Robert C. Kain, Jr.  
24  
25  
26  
27  
28