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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ATOMIC PRODUCTS, LLC :
 :
 Plaintiff, :
 :
 - against - :
 :
 E&B GIFTWARE, LLC, WAL-MART :
 STORES INC., WAL-MART.COM USA. :
 LLC, ABC COMPANIES 1-10 and :
 JOHN DOES A-G :
 Defendants. :
-----X

Civil Action No. 08 cv 04917 (PAC)(RLE)
ECF CASE

STIPULATION OF THE FILING OF THE AMENDED COMPLAINT ON CONSENT

IT IS HEREBY STIPULATED AND AGREED, by the undersigned attorneys for Plaintiff Atomic Products, LLC ("Atomic") and Defendants E&B Giftware, LLC ("E&B"), Wal-Mart Stores Inc. ("Wal-Mart Stores") and Wal-Mart.com USA ("Wal-Mart.com") (collectively "Defendants"), with their consent hereto, pursuant to F.R.C.P. 15(a)(2), that:

Defendants consent to Plaintiff Atomic's filing of the ~~attached~~ Amended Complaint. *PAK*

CONSENTED TO THE ENTRY AND FORM:

Dated: August 12, 2008

Howard C. Miskin

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Attorney for Defendants E&B Giftware, LLC,
Wal-Mart Stores, Inc. and Wal-Mart.com USA

SO ORDERED *Paul Scully* AUG 19 2008
U.S.D.J.