

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): KARINEH KHACHATOURIAN (SBN 202634) TELEPHONE NO.: 415-986-5900 GORDON & REES 275 Battery Street, Suite 2000 Embarcadero Center West San Francisco, CA 94111	FOR COURT USE ONLY CASE NUMBER: 1-05-CV-050179
ATTORNEY FOR (Name): Plaintiff, EAGLE BROADBAND Insert name of court and name of judicial district and branch court, if any: Superior Court of California County of Santa Clara	
PLAINTIFF/PETITIONER: EAGLE BROADBAND, INC. DEFENDANT/RESPONDENT: DOES 1 through 25, inclusive	
REQUEST FOR DISMISSAL <input type="checkbox"/> Personal Injury, Property Damage, or Wrongful Death <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <input type="checkbox"/> Family Law <input type="checkbox"/> Eminent Domain <input checked="" type="checkbox"/> Other (specify): Unfair Business Practices and Defamation	

— A conformed copy will not be returned by the clerk unless a method of return is provided with the document. —

1. TO THE CLERK: Please dismiss this action as follows:
- a- (1) With prejudice (2) Without prejudice
- b. (1) Complaint (2) Petition
- (3) Cross-complaint filed by (name):
- (4) Cross-complaint filed by (name):
- (5) Entire action of all parties and all causes of action
- (6) Other (specify): * as to Defendant Daniel Berger a/k/a Doe 3 and upanddown100 only.

on (date):
on (date):

Date: October 16, 2006

Karineh Khachatourian

(SIGNATURE)

(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)
 * If dismissal requested is of specified parties only, of specified causes of action only specified cross-complaints so state and identify the parties, causes of action, or cross-complaints to be dismissed.

Attorney Or party without attorney for:
 Plaintiff/Petitioner Defendant/Respondent
 Cross-complainant

2. TO THE CLERK: Consent to the above dismissal is hereby given.**

Date:

(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)
 ** If a cross-complaint—or Response (Family Law) seeking affirmative relief—is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

(SIGNATURE)
 Attorney Or party without attorney for:
 Plaintiff/Petitioner Defendant/Respondent
 Cross-complainant

(To be completed by clerk)

3. Dismissal entered as requested on (date): **OCT 17 2006**
4. Dismissal entered on (date): as to only (name):
5. Dismissal not entered as requested for the following reasons (specify):

6. a. Attorney or party without attorney notified on (date): **OCT 17 2006**
 b. Attorney or party without attorney not notified. Filing party failed to provide
 a copy to conform means to return conformed copy

Date: **OCT 17 2006**

Clerk, by Deputy

BY FAX

REQUEST FOR DISMISSAL

Code of Civil Procedure, § 581 et seq.
Cal. Rules of Court, rules 263, 1233

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