

ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: <b>Clifford A. Chanler</b> FIRM NAME: <b>THE CHANLER GROUP</b> STREET ADDRESS: <b>2550 Ninth Street, Suite 205</b> CITY: <b>Berkeley</b> STATE: <b>CA</b> ZIP CODE: <b>94710</b> TELEPHONE NO.: <b>(510) 848-8880</b> * FAX NO.: <b>(510) 848-8118</b> E-MAIL ADDRESS: <b>clifford@chanler.com</b> ATTORNEY FOR (Name): <b>Plaintiff, Anthony E. Held, Ph.D., P.E.</b>	<b>Electronically Filed</b> <small>FOR COURT USE ONLY</small> <b>by Superior Court of CA,          County of Santa Clara,          on 1/27/2020 1:14 PM</b> <b>Reviewed By: S. Vera</b> <b>Case #18CV321718</b> <b>Envelope: 3942708</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara</b> STREET ADDRESS: <b>191 North First Street</b> MAILING ADDRESS: CITY AND ZIP CODE: <b>San Jose, CA 95113</b> BRANCH NAME: <b>Downtown Superior Court</b>	
Plaintiff/Petitioner: <b>Anthony E. Held, Ph.D., P.E.</b> Defendant/Respondent: <b>Toy Investments, Inc., et al.</b>	CASE NUMBER: <b>18CV321718</b>
<b>REQUEST FOR DISMISSAL</b>	

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

**This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)**

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): \_\_\_\_\_ on (date): \_\_\_\_\_
  - (4)  Cróss-complaint filed by (name): \_\_\_\_\_ on (date): \_\_\_\_\_
  - (5)  Entire action of all parties and all causes of action
  - (6)  Other (specify):\*

2. (Complete in all cases except family law cases.)  
The court  did  did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed).

Date: January 27, 2020  
Clifford A. Chanler  
(TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)

  
\_\_\_\_\_  
(SIGNATURE)

\*If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, 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

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

Date:  
\_\_\_\_\_  
(TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)

  
\_\_\_\_\_  
(SIGNATURE)

\*\* 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).

Attorney or party without attorney for:  
 Plaintiff/Petitioner  Defendant/Respondent  
 Cross Complainant

(To be completed by clerk)

- 4.  Dismissal entered as requested on (date): **1/27/2020 1:14 PM**
- 5.  Dismissal entered on (date): \_\_\_\_\_ as to only (name): \_\_\_\_\_
- 6.  Dismissal not entered as requested for the following reasons (specify): \_\_\_\_\_

7. a.  Attorney or party without attorney notified on (date): **1/27/2020 1:14 PM**  
 b.  Attorney or party without attorney not notified. Filing party failed to provide  
 a copy to be conformed  means to return conformed copy

Date: **1/27/2020 1:14 PM** Clerk, by \_\_\_\_\_ /s/ **S. Vera**, Deputy

Plaintiff/Petitioner: Anthony E. Held, Ph.D., P.E.  
 Defendant/Respondent: Toy Investments, Inc., et al.

CASE NUMBER:  
 18CV321718

### COURT'S RECOVERY OF WAIVED COURT FEES AND COSTS

If a party whose court fees and costs were initially waived has recovered or will recover \$10,000 or more in value by way of settlement, compromise, arbitration award, mediation settlement, or other means, the court has a statutory lien on that recovery. The court may refuse to dismiss the case until the lien is satisfied. (Gov. Code, § 68637.)

### Declaration Concerning Waived Court Fees

1. The court waived court fees and costs in this action for *(name)*:
2. The person named in item 1 is *(check one below)*:
  - a.  not recovering anything of value by this action.
  - b.  recovering less than \$10,000 in value by this action.
  - c.  recovering \$10,000 or more in value by this action. *(If item 2c is checked, item 3 must be completed.)*
3.  All court fees and court costs that were waived in this action have been paid to the court *(check one)*:      Yes      No

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF  ATTORNEY  PARTY MAKING DECLARATION)

\_\_\_\_\_  
 (SIGNATURE)

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**PROOF OF SERVICE**

I am over 18 years of age and not a party to this action. I am employed in the county where the mailing took place. My business address is 2550 Ninth Street, Suite 205, Berkeley, California 94710.

On January 27, 2020, I caused the following document(s) to be served, described as:

**REQUEST FOR DISMISSAL**

on each interested party as follows:

Scott S. Humphreys, Esq  
Ballard Spahr LLP  
2029 Century Park East, Suite 800  
Los Angeles, CA 90067  
Email Address: humphreys@ballardspahr.com  
*Attorneys for Toy Investments, Inc.*

(BY ELECTRONIC MAIL) I caused a true and correct copy of the foregoing document(s) to be served by electronic mail at the time shown on the mailing to each interested party at the electronic mail address shown above. Each mailing was reported as sent and without error.

[BY FACSIMILE] I caused a true and correct copy of the foregoing document(s) to be served by facsimile transmission at the time shown on the transmission report from sending facsimile machine telephone number (510) 848-8322 to each interested party at the facsimile number shown above. Each transmission was reported as complete and without error. A transmission report was properly issued by the sending facsimile machine for each interested party served.

Executed this 27th day of January 2020, at Berkeley, California, I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

  
\_\_\_\_\_  
Clifford A. Chanler, Esq.