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20 RUSSELL BRIMER,  
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22 Plaintiff,  
23  
24 v.  
25  
26 THE BOELTER COMPANIES, et al.,  
27  
28 Defendants.

Case No. CGC-05-440811

**STIPULATION FOR ENTRY OF  
JUDGMENT**



1           6. To the extent the Consent Judgment applies to the categories of Covered Products  
2 checked above, the Company agrees to be bound by the injunctive relief provisions of the  
3 Consent Judgment as it relates to each such category of Covered Products.

4           7. In conjunction with the execution of this Stipulation, the Company has provided the  
5 payments applicable to it as set forth in Table 14.4 of the Consent Judgment in the manner  
6 described in Exhibit E to the Consent Judgment. In this regard, the Company hereby  
7 represents and warrants that under the criteria set forth in subsections 14.4(a), (b), and (c) of  
8 the Consent Judgment, with respect to the Covered Products applicable to it pursuant to the  
9 categories checked in Paragraph 2 of this Stipulation, it is a (check only one)<sup>1</sup>:

- 10            **(a) Manufacturer** with combined sales in California of less than 350,000  
11           consumer units in calendar year 2004
- 12            **(a.1) Low Volume Manufacturer** with combined sales in California of less  
13           than 10,000 consumer units in calendar year 2004
- 14            **(b) Distributor and/or Importer** with combined sales in California of less than  
15           350,000 consumer units in calendar year 2004
- 16            **(b.1) Low Volume Distributor and/or Importer** with combined sales in  
17           California of less than 10,000 consumer units in calendar year 2004
- 18            **(c) Retailer and/or Amusement & Recreation Establishment**
- 19            **(d) Bar, Restaurant, Hotel, or Other Food/Beverage Service Defendant**
- 20            **(e) Opt-In Defendant with De Minimus Sales**, i.e., combined sales in  
21           California of less than 500 consumer units in calendar year 2004 (attach to this  
22           Stipulation a list of the names of all product lines (by narrative description and,  
23

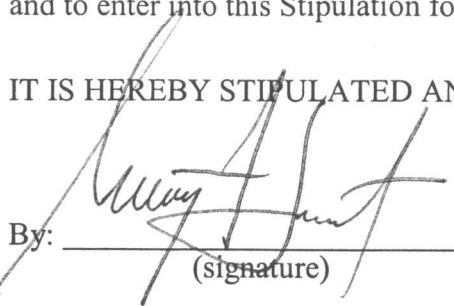
24 \_\_\_\_\_  
25           <sup>1</sup> Any entity which has conducted activities which comprise more than one of the  
26 categories of business listed in (a)-(d) below shall be deemed to be a Manufacturer if 15% or  
27 more of its sales of Covered Products in California were the result of its Manufacturing of  
28 Covered Products; any entity otherwise in categories (c) or (d) shall be deemed to be a  
Distributor/Importer if 15% or more of its sales of Covered Products in California were the result  
of its Distributing/Importing of Covered Products.

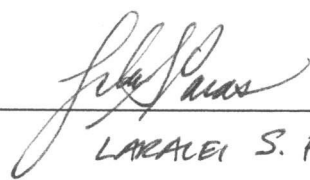


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12. The undersigned have full authority to make the written representations above and to enter into this Stipulation for the person/entity on behalf of which he/she is signing.

IT IS HEREBY STIPULATED AND AGREED TO:

By:   
(signature)

By:   
LARALEE S. PARAS

On Behalf of Plaintiff Russell Brimer

Gregory Sandfort  
Name (printed/typed)

President  
Title (printed/typed)

On Behalf of:

Michaels Stores, Inc.  
(Insert Company Name)

Opt-In Defendant

Dated: 3-22-06

Dated: 5-5-2006

1 **EXHIBIT C (Supplement)**  
2 Contact Information for Purposes of Future Notice  
3

4 Opt-In Party Name: Michaels Stores, Inc.  
5

6 Contact Person: Gabriel V. Vazquez  
7

8 Mailing address: 8000 Bent Branch Drive  
9

10 Irving, Texas 75063

11 Telephone: (972) 409-5810

12 Fax number: (972) 409-1645  
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14 Email address: vazquezg@michaels.com  
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