

MAR 14 2008

SUPERIOR COURT CLERK
EILEEN L. MCLEOD
DEPUTY.

HONORABLE CATHERINE D. SHAFFER

Hearing: March 14, 2008 11:00 am

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

EL DIABLO, INC., a Washington corporation doing business as "Peso's Kitchen & Lounge" in Seattle, King County, Washington, and BRIAN P. HUTMACHER, a single man and resident of Seattle, King County, Washington,

Plaintiffs,

vs.

MEL-OPP & GRIFF, LLC, a Washington limited liability company doing business as "The Matador" in Seattle, King County, and Tacoma, Pierce County, Washington; NATHAN ("NATE") J. OPPER, a single man and resident of Seattle, King County, Washington, ZAK MELANG and RENESSA S. MELANG and the marital community composed thereof, residents of Seattle, King County, Washington; THOMAS ("TOM") FLOYD GRIFFITH AND ELIZABETH A. GRIFFITH and the marital community composed thereof, residents of Kirkland, King County, Washington; SHANE D. OPPER, a single man and resident of Seattle, King County, Washington; BRIAN S. OKROY, a single man and resident of Everett, Snohomish County, Washington; MARK APPLETON STEVENS, a single man and resident of Seattle, King County Washington; and ANNA SHER, a single woman; OPP MEL & GRIFF, INC., a Washington corporation d/b/a "Matador West;" MAT-TAC, LLC, a Washington limited liability company d/b/a "Matador Tacoma;" and MAT-RED, LLC, d/b/a "The Matador,"

Defendants.

Case No. 07-2-01203-6 SEA

~~PLAINTIFF'S PROPOSED~~

ORDER DENYING

DEFENDANTS' MOTION

FOR PARTIAL SUMMARY

JUDGMENT ON DILUTION

CLAIM

ORDER DENYING DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT ON DILUTION CLAIM -1

Order Denying Antidilution Motion.doc

1 This matter having come on for hearing on March 14, 2009, and having
2 reviewed considered the respective pleadings, declarations and exhibits filed by the
3 parties, the authorities cited by the parties, and oral argument by counsel for the parties,
4 now therefore, the Court hereby:

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6 DENIES Defendants' Motion for Partial Summary Judgment on Dilution
7 Claims

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9 Dated this 14 day of March, 2008.

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13 Honorable Judge Catherine D. Shaffer

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15 Presented by:

16 Attorneys for Plaintiffs:

17 **LAW AND IP CONSULTANT AFFILIATES**

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19 

20 Daniel D. Woo, WSBA # 05868

21 Attorney for Plaintiffs

22 Physical address:

3328 - 59th Ave. S.W., Seattle, WA 98116

23 Mailing addresses:

4701 SW Admiral Way, # 215, Seattle, WA 98116 or

24 Post Office Box 16500, Seattle, WA 98116

25 Phone: 206-937-6161

26 Fax: 206-937-5353

ORDER DENYING DEFENDANTS' MOTION FOR PARTIAL
SUMMARY JUDGMENT ON DILUTION CLAIM -2

Order Denying Antidilution Motion.doc

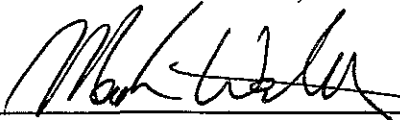
LAW & IP CONSULTANT AFFILIATES

DANIEL D. WOO, ATTORNEY
TELEPHONE (206) 937-6161
3328 - 59th AVE. S.W.
SEATTLE, WASHINGTON 98116

1 WALTERS LAW FIRM, PLLC

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3


Mark D. Walters, WSBA#25537

4

1505 Skyline Tower

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10900 NE 4th Street

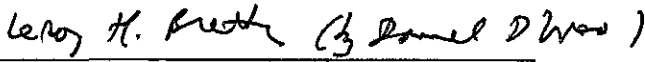
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Bellevue, WA 98004

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LAW OFFICE OF LEROY H. BRETTIN, JR., PLLC

8


Leroy H. Brettin, Jr., WSBA # 21545

9

Attorney for Plaintiffs

10

1833 N. 105th Street, Seattle, WA 98133

11

Phone: 206-522-7100

12

Fax: 206-522-7114

13

Attorneys for Defendants:

14

APPROVED ONLY AS TO FORM AND NOTICE OF PRESENTATION WAIVED:

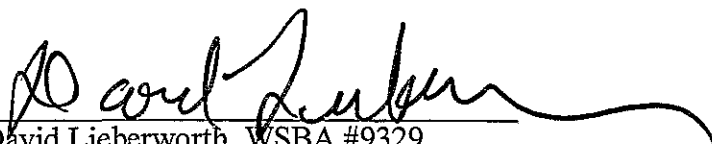
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GARVEY SCHUBERT BARER

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By 
David Lieberworth, WSBA #9329
Jared Van Kirk, WSBA #37029
Attorneys for Defendants

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