



06-CV-01366-AF

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HYPATIA AESTHETIC & LASER
TREATMENT CLINIC, PLLC, a Washington
limited liability corporation,

Plaintiff,

vs.

SAM NAFICY, MD, PS, a Washington
professional services corporation,

Defendant.

Cause No. CV6 1366Z

STIPULATION AND ORDER
DISMISSING CASE AND IMPOSING
PERMANENT INJUNCTION

STIPULATION

COME NOW the parties and do hereby Stipulate and Agree as follows:

1. That the Court may enter the following order imposing a permanent injunction against the Defendant, its shareholders, directors, officers and employees without bond or findings of fact.

2. That the Court may enter the following order dismissing, with prejudice and without award of fees and costs to either party, all remaining causes of action and claims in the above-named matter and closing this case.

//

//

//

1 DATED this 25th day of July, 2007.

2 ROMERO PARK & WIGGINS P.S.

RIDDELL WILLIAMS P.S.

3 /s/Justin D. Park

/s/Wendy E. Lyon

4 Justin D. Park, WSBA #28340

Wendy E. Lyon, WSBA #34461

5 Attorneys for Plaintiff

Attorneys for Defendant

6 155 - 108th Avenue NE, Suite 202

1001 Fourth Avenue, Suite 4500

7 Bellevue, WA 98004

Seattle, WA 98154-1192

8 (425) 450-5000 telephone

(206) 624-3600 telephone

(425) 450-0728 facsimile

(206) 389-1708 facsimile

jpark@rpwfirm.com

wlyon@riddellwilliams.com

9 **ORDER**

10 THIS MATTER having come before the Court on the foregoing Stipulation of the
11 Parties, and the Court finding good cause, now, therefore, it is hereby

12 ORDERED as follows:

13 1. The Court orders that SAM NAFICY, MD, PS, together with its officers,
14 directors, shareholders, and employees ("Defendant") are hereby permanently enjoined
15 and restrained from sponsoring, creating, purchasing or otherwise directing any
16 Internet-based link, connection, directive or methodology of diverting users that has as
17 its basis the inputting by any user of any of the following terms or reasonable, non-
18 generic derivatives thereof: Hypatia; Hypatia Laser & Aesthetic Clinic; Virginia
19 Stevens; 14024 NE 181st Street Suite 201, Woodinville, WA, or; (425) 424-3416.

20 2. The Court shall retain jurisdiction to entertain such further proceedings and to
21 enter such further orders as may be necessary or appropriate to implement and/or enforce
22 the provisions of this Permanent Injunction. The Defendant specifically consents to
23 personal jurisdiction and venue in the United States District Court, for the Western
24 District of Washington. No bond or findings of fact shall be required for the imposition
25 of this injunction.

26 3. Upon proof of any violations by the Defendant of the provisions of this
27 Permanent Injunction, the Court shall be authorized to award damages to the Plaintiff
28 for losses sustained due to violation of this Permanent Injunction, and the attorney fees
29 and costs incurred in order to obtain said damages award, in addition to any other
30 damages or other relief authorized by law.

1 4. All remaining causes of action and claims in the above-entitled case are hereby
2 DISMISSED with prejudice and without award of fees or costs to any party and this
3 matter is closed.

4 DATED this 30th day of August, 2007.

5
6 
7 Judge

8 PRESENTED BY:

9 ROMERO PARK & WIGGINS P.S.

10 By: /s/Justin D. Park

11 Justin D. Park, WSBA #28340
12 Attorneys for Plaintiff
13 155 - 108th Avenue NE, Suite 202
14 Bellevue, WA 98004
15 (425) 450-5000 telephone
16 (425) 450-0728 facsimile
17 jpark@rpwfirm.com

18 RIDDELL WILLIAMS P.S.

19 By: /s/Wendy E. Lyon

20 Wendy E. Lyon, WSBA #34461
21 Attorneys for Defendant
22 1001 Fourth Avenue, Suite 4500
23 Seattle, WA 98154-1192
24 (206) 624-3600 telephone
25 (206) 389-1708 facsimile
26 wlyon@riddellwilliams.com