

THOMAS CHASE STUTZMAN
JOHN HENRY PERROTT*

* Certified Family Law Specialist

The State Bar of California
Board of Legal Specialization

LAW OFFICES OF
THOMAS CHASE STUTZMAN
A PROFESSIONAL CORPORATION
1625 THE ALAMEDA, SUITE 626
SAN JOSE, CALIFORNIA 95126-2224
E-MAIL: STUTZMAN@TOMSTUTZMAN.COM

TELEPHONE (408) 294-4600
FACSIMILE (408) 295-5811

January 15, 2013

Sent Via Facsimile and U.S. Mail

ATTN: Michael T. Bonetto
Hoge, Fenton, Jones & Appel, Inc.
60 S. Market Street #1400
San Jose, CA 95113
FAX: (408)-287-2583

Re: Kiraly v. Kiraly: 1-12-DV-015924 & Kiraly v. Kiraly: 1-12-DV-015910
Settlement Issues & Offer to Settle a Part of the Case

Dear Michael:

First, thank you for your recent telephone call wherein you presented various points regarding possible settlement. Two points you presented seemed particularly significant: **(1)** you stated very clearly that your client was not seeking to use the CLETS system to effect a Prior Restraint on Free Speech; and **(2)** you stated that your client would not agree to pay legal fees (Robert Kiraly wants \$15,000 in fees paid). As you no doubt understand, parties in litigation regularly disagree about many things; however, in the event they agree on some things the litigation can be reduced by stating their agreements in a Stipulation and taking those issues off the table.

Second, please find attached hereto for your review and consideration a Stipulation and Order, 4 pages in length, as signed by both Robert Kiraly and myself. This Stipulation constitutes an offer to take the Prior Restraint on Free Speech issue off the table. There is no paragraph on this Stipulation addressing legal fees.

Third, I request that you get back to me regarding this Stipulation/Offer without delay. Robert Kiraly signed this Stipulation while informing me of his concerns that James Kiraly actually did want to use the CLETS system to effect a Prior Restraint. If you do not get back to me with at least a progress report on or before close of business on **Friday, January 18, 2013** I have been instructed to begin drafting a Request for Order to Limit the Scope of the CLETS, which Request for Order will seek Orders substantially identical to those included in this Stipulation.

ATTN: Michael T. Bonetto

January 15, 2013

Page 2

Fourth, by agreeing to resolve the issues regarding Prior Restraint the Respondent, Robert Kiraly, is not suggesting that an over all resolution of this case is out of reach. Quite the contrary, he remains willing to agree to stay physically away from the named Protected Parties if that is what they really want. He reiterates that he is not now, nor has he ever been, a physical threat to anyone, and any and all allegations against him to the contrary are false.

Yours very truly,
THOMAS CHASE STUTZMAN
A Professional Corporation

By: _____

John H. Perrott, Associate

JHP/tnz

Enclosure

cc: Client