

1 THE HONORABLE MARSHA J. PECHMAN
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 THE POKÉMON COMPANY
11 INTERNATIONAL, INC., a Delaware
12 corporation,

13 Plaintiff,

14 v.

15 BRYAN GARCIA CRUZ, an individual,
16 and DAVID ANDINO MAISONAVE, an
17 individual,

18 Defendants.

No. 19-cv-1911MJP

STIPULATION FOR ENTRY OF
JUDGMENT AND PERMANENT
INJUNCTION

19 Plaintiff The Pokémon Company International, Inc. (“TPCi”) and Defendant Bryan
20 Garcia Cruz (“Defendant”), hereby stipulate as follows:

21 1. TPCi brought suit against Defendant for violations of the Defend Trade Secrets
22 Act, 18 U.S.C. § 1832, *et seq.* and the Washington Uniform Trade Secrets Act, RCW 19.108.010
23 *et seq.*

24 2. The Second Amended Complaint alleges that defendant David Andino Maisonave
25 (“Mr. Andino”) stole trade secrets from TPCi by taking illicit pictures of pages from an
26 unreleased strategy guide (the “Strategy Guide”) created to accompany the release of two highly
anticipated video games, Pokémon Sword and Pokémon Shield. Mr. Andino shared the illicit

STIPULATION FOR ENTRY OF JUDGMENT
AND PERMANENT INJUNCTION
(No. 19-cv-1911MJP) – 1

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1201 Third Avenue, Suite 4900
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1 pictures of the Strategy Guide with a friend who also knew Defendant. Defendant's friend
2 shared the pictures of the Strategy Guide in a group chat that included Defendant. Defendant
3 then posted the pictures taken by Mr. Andino on the Internet.

4 3. In the Second Amended Complaint, TPCi sought monetary damages among other
5 relief.

6 4. The parties have agreed to the entry of a Stipulated Judgment against Defendant,
7 in the form reflected in Exhibit A attached hereto. The parties have agreed to the entry of a
8 Stipulated Permanent Injunction in the form reflected in Exhibit B attached hereto.

9 IT IS SO STIPULATED.

10 DATED: June 10, 2021

11
12 By: s/ Jacob P. Dini
13 Lauren W. Staniar, WSBA No. 48741
14 Jacob P. Dini, WSBA No. 54115
15 Perkins Coie LLP
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20 E-mail: lstaniar@perkinscoie.com
21 E-mail: jdini@perkinscoie.com

22 *Attorneys for Plaintiff, The Pokémon*
23 *Company International, Inc.*

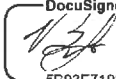
DocuSigned by:

By: _____
5B93E7198EC04CD...
Bryan Garcia Cruz
5509 Legacy Crescent Pl.
Riverview, FL 33578-2818
Defendant

EXHIBIT A

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE POKÉMON COMPANY
INTERNATIONAL, INC., a Delaware
corporation,

Plaintiff,

v.

BRYAN GARCIA CRUZ, an individual,
and DAVID ANDINO MAISONAVE, an
individual,

Defendants.

No. 19-cv-1911MJP
STIPULATED JUDGMENT

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

FINDINGS AND CONCLUSIONS:

1. This is an action for violations of the Defend Trade Secrets Act, 18 U.S.C. § 1832, *et seq.* and the Washington Uniform Trade Secrets Act, RCW 19.108.010 *et seq.*

2. The Second Amended Complaint alleges that defendant David Andino Maisonave (“Mr. Andino”) stole trade secrets from TPCi by taking illicit pictures of pages from an unreleased strategy guide (the “Strategy Guide”) created to accompany the release of two highly anticipated video games, Pokémon Sword and Pokémon Shield. Mr. Andino shared the illicit pictures of the Strategy Guide with a friend who also knew Defendant. Defendant’s friend

STIPULATED JUDGMENT
(No. 19-cv-1911MJP) – 1

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1 shared the pictures of the Strategy Guide in a group chat that included Defendant. Defendant
2 then posted the pictures taken by Mr. Andino on the Internet.

3 3. In the Second Amended Complaint, TPCi sought monetary damages, among other
4 relief.

5 4. The Court has jurisdiction over the subject matter of the federal claim under 28
6 U.S.C. § 1331 and 18 U.S.C. § 1836(c) because the claim arises under the Defend Trade Secrets
7 Act, 18 U.S.C. §§ 1832, *et seq.* The Court has supplemental jurisdiction over the related state
8 law claim under 28 U.S.C. § 1367(a).

9 6. Venue is proper in this Court under 28 U.S.C. § 1391.

10 7. The Court has personal jurisdiction over Defendant for the purposes of entry and
11 enforcement of this Judgment.

12 JUDGMENT

13 Based on the Parties' stipulation, judgment is entered in favor of Plaintiff and against
14 Defendant on Plaintiff's claims for violations of the Defend Trade Secrets Act, 18 U.S.C. § 1832,
15 *et seq.* and the Washington Uniform Trade Secrets Act, RCW 19.108.010 *et seq.* Defendant is
16 liable to Plaintiff for \$150,000 in monetary damages, attorneys' fees and costs.

17 RETENTION OF JURISDICTION

18 IT IS FURTHER ORDERED that this Judgment is final and may not be appealed by
19 either party. The Court shall retain jurisdiction for the purposes of construing, modifying, and
20 enforcing this Judgment.

1 **IT IS SO ORDERED.**

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3 DATED: June 17, 2021
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THE HONORABLE MARSHA J. PECHMAN
United States District Judge

5 Presented by:

6 s/ Jacob P. Dini

7 Lauren W. Staniar, WSBA No. 48741

8 Jacob P. Dini, WSBA No. 54115

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15 E-mail: jdini@perkinscoie.com

16 *Attorneys for Plaintiff,*

17 *The Pokémon Company International, Inc.*
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STIPULATED JUDGMENT
(No. 19-cv-1911MJP) – 3

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EXHIBIT B

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE POKÉMON COMPANY
INTERNATIONAL, INC., a Delaware
corporation,

Plaintiff,

v.

BRYAN GARCIA CRUZ, an individual,
and DAVID ANDINO MAISONAVE, an
individual,

Defendants.

No. 19-cv-1911MJP
STIPULATED PERMANENT INJUNCTION

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

FINDINGS AND CONCLUSIONS:

1. This is an action for violations of the Defend Trade Secrets Act, 18 U.S.C. § 1832, *et seq.* and the Washington Uniform Trade Secrets Act, RCW 19.108.010 *et seq.*
2. The Second Amended Complaint alleges that defendant David Andino Maisonave (“Mr. Andino”) stole trade secrets from TPCi by taking illicit pictures of pages from an unreleased strategy guide (the “Strategy Guide”) created to accompany the release of two highly anticipated video games, Pokémon Sword and Pokémon Shield. Mr. Andino shared the illicit pictures of the Strategy Guide with a friend who also knew Defendant. Defendant’s friend

STIPULATED PERMANENT INJUNCTION
(No. 19-cv-1911MJP) – 1

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1 shared the pictures of the Strategy Guide in a group chat that included Defendant. Defendant
2 then posted the pictures taken by Mr. Andino on the Internet.

3 3. The Court has jurisdiction over the subject matter of the federal claim under 28
4 U.S.C. § 1331 and 18 U.S.C. § 1836(c) because the claim arises under the Defend Trade Secrets
5 Act, 18 U.S.C. §§ 1832, *et seq.* The Court has supplemental jurisdiction over the related state
6 law claim under 28 U.S.C. § 1367(a).

7 4. Venue is proper in this Court under 28 U.S.C. § 1391.

8 5. The Court has personal jurisdiction over Defendant for the purposes of entry and
9 enforcement of this Injunction.

10 **INJUNCTION**

11 Based on the Stipulation of the Parties, Defendant is enjoined as follows:

12 A. Defendant will not access, use, disclose, disseminate or misappropriate TPCi's
13 confidential and trade secret information.

14 B. Defendant will not aid, assist or support, in any way, any other person or entity in
15 undertaking the actions described in Paragraph A above.

16 **BINDING EFFECT**

17 IT IS FURTHER ORDERED that this Injunction shall be binding upon and inure to the
18 benefit of the parties and all successors, assigns, parent entities, subsidiaries, officers, directors,
19 members, shareholders, distributors, agents, affiliates, and all other persons who are in active
20 concert or participation with anyone described herein, who receive actual notice of this
21 Injunction by personal service or otherwise.

22 **RETENTION OF JURISDICTION**

23 IT IS FURTHER ORDERED that this Injunction is final and may not be appealed by
24 either party. The Court shall retain jurisdiction for the purposes of construing, modifying, and
25 enforcing this Permanent Injunction.
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STIPULATED PERMANENT INJUNCTION
(No. 19-cv-1911MJP) – 2

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IT IS SO ORDERED.

DATED: June 17, 2021


THE HONORABLE MARSHA J. PECHMAN
United States District Judge

STIPULATED PERMANENT INJUNCTION
(No. 19-cv-1911MJP) – 3

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