

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 David  
20 Andino Maisonave (“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 stole trade secrets from  
25 TPCi by taking illicit pictures of pages from an unreleased strategy guide (the “Strategy Guide”)  
26 created to accompany the release of two highly anticipated video games, Pokémon Sword and  
Pokémon Shield. Defendant had access to the Strategy Guide as an employee of LSC

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

151443920.2

Perkins Coie LLP  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

1 Communications US, LLC (“LSC Communications”), a company hired to print copies of the  
2 Strategy Guide. While at LSC Communications’ facility, Defendant took pictures of TPCi’s  
3 unreleased Strategy Guide on or about November 1, 2019. Defendant shared the illicit pictures  
4 of the Strategy Guide with a friend who also knew defendant Bryan Garcia Cruz (“Mr. Cruz”).  
5 Defendant’s friend shared the pictures of the Strategy Guide in a group chat that included Mr.  
6 Cruz. Mr. Cruz then posted the pictures taken by Defendant on the Internet.

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


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

12 IT IS SO STIPULATED.

13 DATED: June 10, 2021

14  
15 By: s/ Jacob P. Dini  
16 Lauren W. Staniar, WSBA No. 48741  
17 Jacob P. Dini, WSBA No. 54115  
18 Perkins Coie LLP  
19 1201 Third Avenue, Suite 4900  
20 Seattle, WA 98101-3099  
21 Telephone: 206.359.8000  
22 Facsimile: 206.359.9000  
23 E-mail: lstaniar@perkinscoie.com  
24 E-mail: jdini@perkinscoie.com

25 *Attorneys for Plaintiff, The Pokémon*  
26 *Company International, Inc.*

By:   
David Andino Maisonave  
221 W Laurel Street  
Willard, OH 44890-1342

*Defendant*

STIPULATION FOR ENTRY OF JUDGMENT  
AND PERMANENT INJUNCTION  
(No. 19-cv-1911MJP) – 2

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# 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 stole trade secrets from Plaintiff The Pokémon Company International (“TPCi” or “Plaintiff”) 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. Defendant had access to the Strategy Guide as an employee of LSC Communications US, LLC (“LSC Communications”), a company hired to print copies of the Strategy Guide. While at LSC

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

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1 Communications' facility, Defendant took pictures of TPCi's unreleased Strategy Guide on or  
2 about November 1, 2019. Defendant shared the illicit pictures of the Strategy Guide with a  
3 friend who also knew defendant Bryan Garcia Cruz ("Mr. Cruz"). Defendant's friend shared the  
4 pictures of the Strategy Guide in a group chat that included Mr. Cruz. Mr. Cruz then posted the  
5 pictures taken by Defendant on the Internet.

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

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

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

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

#### 15 JUDGMENT

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

#### 20 RETENTION OF JURISDICTION

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

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STIPULATED JUDGMENT  
(No. 19-cv-1911MJP) – 2

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1           **IT IS SO ORDERED.**

2           DATED: June 17, 2021



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5           THE HONORABLE MARSHA J. PECHMAN  
6           United States District Judge

7           Presented by:

8           s/ Jacob P. Dini

9           Lauren W. Staniar, WSBA No. 48741

10          Jacob P. Dini, WSBA No. 54115

11          Perkins Coie LLP

12          1201 Third Avenue, Suite 4900

13          Seattle, WA 98101-3099

14          Telephone: 206.359.8000

15          Facsimile: 206.359.9000

16          E-mail: lstaniar@perkinscoie.com

17          E-mail: jdini@perkinscoie.com

18          Attorneys for Plaintiff,

19          The Pokémon Company International, Inc.

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26           STIPULATED JUDGMENT  
          (No. 19-cv-1911MJP) – 3

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# EXHIBIT B

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UNITED STATES DISTRICT COURT  
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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 stole trade secrets from Plaintiff The Pokémon Company International (“TPCi” or “Plaintiff”) 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. Defendant had access to the Strategy Guide as an employee of LSC Communications US, LLC (“LSC

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

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

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

#### 14 INJUNCTION

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

16 A. Defendant will not access, use, disclose, disseminate or misappropriate TPCi’s  
17 confidential and trade secret information.

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

#### 20 BINDING EFFECT

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

26 STIPULATED PERMANENT INJUNCTION  
(No. 19-cv-1911MJP) – 2

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**RETENTION OF JURISDICTION**

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

**IT IS SO ORDERED.**

DATED: June 17, 2021

  
\_\_\_\_\_  
THE HONORABLE MARSHA J. PECHMAN  
United States District Judge