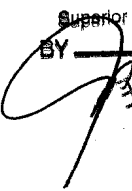


22-07
#8

FILED

FEB 16 2007

KIRI TORRE
Chief Executive Officer
Superior Court of CA County of Santa Clara
BY  DEPUTY
CA PINACATE

1 ERIC J. SIDEBOTHAM (SBN 208829)
2 DANIEL M. SHAFER (SBN 244839)
3 **ERIC J. SIDEBOTHAM, APC**
4 520 Calle Viento
5 Morgan Hill, CA 95037
6 Telephone: (408) 856-6000
7 Facsimile: (408) 608-6001
8
9 Attorneys for Third Party Claimant,
10 DUTCHESS PRIVATE EQUITIES FUND, LTD.
11

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9
10 COUNTY OF SANTA CLARA

11
12 EAGLE BROADBAND, INC.,
13
14 Plaintiff,
15 v.
16 DOES 1 through 25, inclusive,
17
18 Defendants.
19
20
21
22
23
24
25
26
27
28

Case No. 1-05-CV-050179

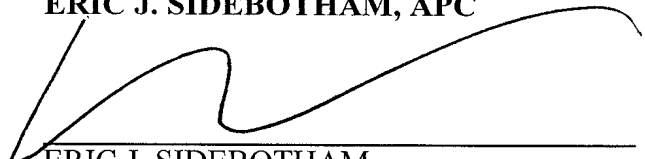
**THIRD PARTY CLAIMANT DUTCHESS
PRIVATE EQUITIES FUND, LTD'S
NOTICE OF JOINDER AND JOINDER
TO EAGLE BROADBAND, INC.'S
OPPOSITION TO THE MOTION FOR
ASSIGNMENT**

Date: February 22, 2007
Time: 9:00 a.m.
Dept: 22
Judge: Hon. Kevin J. Murphy

1 **TO THE HONORABLE COURT AND TO ALL COUNSEL OF RECORD:**

2 Third Party Claimant Dutchess Private Equities Fund, Ltd. hereby files this Notice of Joinder and
3 Joinder in Support of Plaintiff's Opposition to Defendants' Motion for Assignment. This joinder is
4 based upon Plaintiff's Opposition papers and the declaration and exhibits attached hereto, and the
5 arguments presented therein.
6

7 Respectfully submitted,
8 **ERIC J. SIDEBOTHAM, APC**



9 DATED: February 16, 2007

10 **ERIC J. SIDEBOTHAM**
11 Attorneys for Third Party Claimant,
12 **DUTCHESS PRIVATE EQUITIES FUND, LTD.**