

Plaintiff Eagle Broadband, Inc. (“Eagle”), Defendant Richard Williams a/k/a Richwill21 a/k/a Doe 4 (“Williams”), and Defendant Thomas Mould a/k/a benderanddunat a/k/a Doe 5 (“Mould”) by and through their respective counsel (collectively the “Parties”), hereby enter into this Stipulation Correcting the Joint Appendix for Williams’ Appeal from the Order denying Williams’ Special Motion to Strike Complaint and for Eagle’s Appeal from the Order granting Mould’s Special Motion to Strike Complaint (the “Stipulation”) by adding portions of documents that were originally filed with the Superior Court, mutually designated by the Parties for inclusion into the record, then inadvertently omitted from the Joint Appendix.

WHEREAS, on May 30, 2006, the Parties filed a joint proposed briefing schedule in which the Parties agreed to file a Joint Appendix for Williams’ Appeal of the Order Denying Williams’ Special Motion to Strike and Eagle’s Appeal of the Order Granting Mould’s Special Motion to Strike (“Joint Appendix”).

WHEREAS, on June 29, 2006, the Court of Appeal issued an order allowing a joint appendix to be filed in lieu of the clerk’s transcript.

WHEREAS, on or about September 1, 2006 the Parties entered into a stipulation identifying the documents the Parties mutually agreed to designate for inclusion in the Joint Appendix.

WHEREAS, the Parties further stipulated that the Joint Appendix would include all the documents that had been mutually designated by the Parties.

WHEREAS, the tenth document identified in this stipulation as mutually agreed to as designated for inclusion in the Joint Appendix was the Declaration of Frederick Reynolds in Support of Plaintiff’s Opposition to Defendants’ Anti-SLAPP Motions (“Reynolds Declaration”), dated January 20, 2006.

WHEREAS, the Reynolds Declaration contained eight exhibits labeled A through H, which the document relied upon, directly referenced, and had attached thereto.

WHEREAS, the complete Reynolds Declaration, including Exhibits A – H, were properly filed with the Superior Court in regard to the underlying case on January 20, 2006.

WHEREAS, Exhibits A – H to the Reynolds Declaration were inadvertently omitted from the Joint Appendix.

WHEREAS, the remainder of the Reynolds Declaration was included in the Joint Appendix.

WHEREAS, Exhibits A –H to the Reynolds Declaration are material to the record on appeal and will assist in the determination of the appeal on its merits.

WHEREAS, the Parties agree that Exhibits A –H are part of the Reynolds Declaration and should have been included in the Joint Appendix as was mutually agreed to.

THE PARTIES HEREBY STIPULATE to the following:

(a) The Parties agree to correct the Joint Appendix by adding a complete copy of the Declaration of Frederick Reynolds in Support of Plaintiff's Opposition to Defendants' Anti-SLAPP Motions, including Exhibits A – H, which was filed with the Superior Court on January 20, 2006.

(b) This document will be added to the Joint Appendix as the separately titled and bound Joint Appendix Volume IV. Volume IV will continue the sequential order of the Joint Appendix with this document being tabbed as Exhibit 31 and starting on page 594. Volume IV will also include an updated Index that reflects the addition of this document to the Joint Appendix.

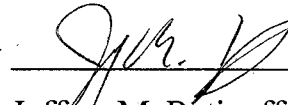
(c) The Parties ask this Court to issue an Order to this effect.

(d) Any party may sign this Stipulation by facsimile signature and such signature shall be treated as an original and shall be fully enforceable.

Dated: Nov. 20, 2006

GORDON & REES LLP

By



Jeffrey M. Ratinoff
Attorneys for Plaintiff
EAGLE BROADBAND, INC

Dated: _____, 2006

CALIFORNIA ANTI-SLAPP
PROJECT

By

Paul Clifford
Counsel for Defendants
RICHARD WILLIAMS and
THOMAS MOULD

H030169

(d) Any party may sign this Stipulation by facsimile signature and such signature shall be treated as an original and shall be fully enforceable.

Dated: _____, 2006


GORDON & REES LLP

By _____

Jeffrey M. Ratinoff
Attorneys for Plaintiff
EAGLE BROADBAND, INC

Dated: 11/17, 2006

CALIFORNIA ANTI-SLAPP
PROJECT

By  _____

Paul Clifford
Counsel for Defendants
RICHARD WILLIAMS and
THOMAS MOULD

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Court of Appeal Sixth App. Dist.

By _____
DEPUTY

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San Francisco, CA 94111

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CERTIFICATE OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is: Embarcadero Center West, 275 Battery Street, Suite 2000, San Francisco, CA 94111. On November 22, 2006, I served the within documents:

STIPULATION CORRECTING JOINT APPENDIX

- by transmitting via electronic mail the document(s) listed above to the e-mail addresses set forth below on this date before 4:00 p.m.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in United States mail in the State of California at San Francisco, addressed as set forth below.

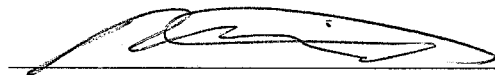
**Attorney for Defendant/Respondent Roy
Thomas Mould and Defendant/Appellant
Richard Williams**

Mark A. Goldowitz, Esq.
Paul Clifford, Esq.
California Anti-SLAPP Project
2903 Sacramento Street
Berkeley, CA 94702

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 22, 2006, at San Francisco, California.



Michael Tanis