

ORIGINAL

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

EAGLE BROADBAND, INC.,
Plaintiff and Appellant,

v.

THOMAS MOULD,
Defendant and Respondent,
RICHARD WILLIAMS,
Defendant and Appellant.

H030169
Santa Clara County No. CV050179

FILED
DEC - 1 2006
Court of Appeal - Sixth App. Dist.
By _____
DEPUTY

BY THE COURT:

The parties' stipulation correcting the joint appendix considered a stipulation to augment the joint appendix in lieu of clerk's transcript on appeal filed by the parties on September 5, 2006, is granted. The joint appendix in lieu of clerk's transcript on appeal is deemed augmented to include Volume IV of the joint appendix received by the court on November 22, 2006, which is hereby incorporated by reference.

Date: DEC - 1 2006

P.I.

AFFIDAVIT OF TRANSMITTAL

I am a citizen of the United States, over 18 years of age, and not a party to the within action: that my business address is 333 West Santa Clara Street, Suite 1060, San Jose, CA 95113; that I served a copy of the attached material in envelopes addressed to those persons noted below.

That said envelopes were sealed and shipping fees fully paid thereon, and thereafter were sent as indicated via the U.S. Postal System from San Jose, CA 95113.

I certify under penalty of perjury that the foregoing is true and correct.

Michael J. Yerly, Clerk of the Court



Deputy Clerk

W. MAGSAYSAY

DEC - 1 2006

Date

CASE NUMBER: H030169

Office of the County Clerk
Santa Clara County Superior Court
191 North First Street
San Jose, CA 95113

Material Sent YES: NO

Jeffrey Michael Ratinoff
Gordon & Rees LLP
275 Battery Street Suite 2000
San Francisco, CA 94111-1013

Material Sent YES: ✓

Karineh Khachatourian
Gordon & Rees LLP
275 Battery St. Suite 2000
San Francisco, CA 94111

Material Sent YES: ✓

Mark Goldowitz
California Anti-SLAPP Project
2903 Sacramento Street
Berkeley, CA 94702

Material Sent YES: ✓

Mark Goldowitz
California Anti-SLAPP Project
2903 Sacramento Street
Berkeley, CA 94702

Material Sent YES: ✓

Kathrin Sears

Office of the Attorney General
455 Golden Gate Avenue
Suite 11,000
San Francisco, CA 94102

Material Sent YES: _____