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JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

WYATT TECHNOLOGY CORPORATION, a California Corporation,

Plaintiff,

vs.

MALVERN INSTRUMENTS INCORPORATED, a Massachusetts corporation; DAVID DOLAK, an individual; and DOES 1 through 50, inclusive,

Defendants.

) Case No. CV07-8298 ABC (RZx)
) Assigned to the Hon. Audrey B. Collins
)

) **[PROPOSED] FINAL JUDGMENT**

) [Filed Concurrently With Joint Status Report and Stipulation Re: Entry of Judgment]
)

) **NOTE: CHANGES MADE BY THE COURT**
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)
)

1 This action was brought by plaintiff Wyatt Technology Corporation
2 (“Wyatt”) against defendants Malvern Instruments Incorporated and David Dolak
3 (“Defendants”). The operative pleading is Wyatt’s Second Amended Complaint, filed
4 April 14, 2008.

5 **IT IS NOW ORDERED, ADJUDGED AND DECREED AS**
6 **FOLLOWS:**

7 1. For the reasons set forth in the Court’s July 29, 2009 Order
8 Granting In Part And Denying In Part Defendants’ Motions For Partial Summary
9 Judgment On Copyright And Noncopyright Claims, the Court’s September 23, 2009
10 Order Granting Defendants’ Motion For Partial Summary Judgment On Plaintiff’s
11 Copyright Claims 1-3, and the parties’ February 3, 2010 Joint Status Report and
12 Stipulation Re: Entry of Judgment, judgment is hereby entered in favor of Defendants
13 and against Wyatt on all of the claims in the Second Amended Complaint.

14 2. The Court retains jurisdiction to resolve Defendants’ Request for
15 Sanctions for Plaintiff’s Violation of the Court’s November 14, 2008 and September
16 10, 2009 Orders and any motion for attorneys’ fees and/or application to the clerk to
17 tax costs that may be filed.

18 **THE CLERK IS DIRECTED TO ENTER THIS JUDGMENT**
19 **FORTHWITH.**

20 Dated: February 04, 2010

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23 _____
24 Honorable Audrey B. Collins
25 United States District Judge

26 **JUDGMENT IS SO ENTERED.**

27 Dated: February __, 2010
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Submitted by:

FRISENDA, QUINTON & NICHOLSON
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/s/ Frank Frisenda

Frank Frisenda
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Instruments Incorporated and David
Dolak