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JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

ANTHONY ENCARNACAO, an individual,

Plaintiff,

vs.

PHASE FORWARD INCORPORATED, a Delaware corporation, *et al.*

Defendants.

Case No.: CV11-05090- ODW (PLA)

**STIPULATED JUDGMENT OF DISMISSAL**

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By order dated February 7, 2012, the Court granted defendants' motion pursuant to Rule 12(b)(6) to dismiss the second and fourth claims for relief alleged in the First Amended Complaint, with prejudice. (See Dkt. No. 43.) In addition, the parties have stipulated, pursuant to Rule 41(a)(1)(A), to dismissal of Plaintiff's first, third, fifth, sixth and seventh claims for relief alleged in the First Amended Complaint, without prejudice.

IT IS THEREFORE ORDERED AND ADJUDGED THAT judgment is entered in favor of defendants Phase Forward Corporation, Christopher Menard, D. Ari Buchler, Russell J. Campanello, Steven Rosenberg, Steven Powell and Robert K. Weiler, and against plaintiff Anthony Encarnacao, on the second and fourth claims for relief alleged in the First Amended Complaint. Plaintiff has waived any right to appeal from entry of this judgment. All parties shall bear their own attorneys' fees and costs.



Dated: January 7, 2013

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UNITED STATES DISTRICT JUDGE