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Attorneys for Defendants, AMERICAN CAPITAL, LTD. and FRUIT PATCH, INC.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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1 IT IS HEREBY STIPULATED by and between the parties to this action and  
2 through their designated counsel that the above-captioned action be and hereby is dismissed with  
3 prejudice pursuant to FRCP 41(a)(1).

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5 DATED: June 28, 2010.

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7 /s/ William J. Mavity  
William J. Mavity, Esq.  
8 Attorneys for Plaintiff STRATEGIC  
ADVANTAGE, INC.

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10 DATED: June 28, 2010. BAKER MANOCK & JENSEN, PC

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12 /s/ Joseph M. Marchini  
Joseph M. Marchini  
13 Elisabeth F. Tietjen  
14 Attorneys for FRUIT PATCH, INC.,  
and AMERICAN CAPITAL, LTD.

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23 IT IS SO ORDERED.

24 Dated: June 28, 2010

25 /s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE