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9 *HAYWARD INDUSTRIES, INC.*

10 [See Signature Page for Additional Counsel]

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 _____)
14 WEBQUEST.COM, INC.)
15)
16 Plaintiff,)
17)
18 HAYWARD INDUSTRIES, INC.,)
19 Defendant.)

Case No. 1:10-cv-00306-OWW-JLT
[Assigned to Hon. Oliver W. Wanger]

**STIPULATION OF DISMISSAL
WITH PREJUDICE; ORDER THEREON**

20 _____)
21 AND RELATED CROSS-ACTION)
22 _____)

**Pretrial Conference: June 20, 2011
Trial Date: July 26, 2011**

23 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), and through the signatures of their respective
24 counsel below, Plaintiff and Counterclaim Defendant WebQuest.com, Inc. (“WebQuest”) and
25 Defendant and Counterclaim Plaintiff Hayward Industries, Inc. (“Hayward”) hereby stipulate and
26 agree that each party’s respective claims and counterclaims are hereby voluntarily dismissed, with

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28 ///

1 prejudice, with all rights of appeal waived, and with each party to bear its own costs and attorneys'
2 fees.

3 SO STIPULATED on May 6, 2011,

4 /s/Brett E. Lewis

/s/Don A. Hernandez

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WEBQUEST.COM, INC.

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ORDER

The Joint Stipulation of Dismissal With Prejudice by the parties comes before the Court.

The Court having considered the Joint Stipulation of Dismissal With Prejudice, and for good cause appearing, the Court hereby orders as follows:

- 1. All claims and counterclaims asserted in this action are hereby voluntarily dismissed, with prejudice; and
- 2. Each party is to bear its own costs and attorneys fees.

IT IS SO ORDERED.

Dated: May 7, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE