

1 [SEE SIGNATURE PAGES FOR COUNSEL NAMES]

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

EDWARDS LIFESCIENCES LLC and
ENDOGAD RESEARCH PTY LIMITED,

Plaintiffs,

v.

COOK INCORPORATED and W.L.
GORE & ASSOCIATES, INC.,

Defendants.

No. C 03-3817 JSW (WDB)

~~PROPOSED~~ ORDER AND
STIPULATION OF DISMISSAL
WITHOUT PREJUDICE OF
DEFENDANTS' COUNTERCLAIMS

Judge Jeffrey S. White
Magistrate Judge Wayne D. Brazil

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN
A Professional Corporation

The parties hereby stipulate to the dismissal without prejudice of the counterclaims of Defendant, Cook Incorporated, and to the dismissal without prejudice of the counterclaims of Defendant, W.L. Gore & Associates, Inc.

Dated: September 22, 2008

By: /s/ Hugh A. Abrams

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ENDOGAD RESEARCH PTY LIMITED

1 Dated: September 22, 2008

By: /s/ Bradley G. Lane

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18 *Attorneys for Defendant,*
19 COOK INCORPORATED

20 Dated: September 22, 2008

By: /s/ Harry C. Marcus

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Attorneys for Defendant,
W.L. GORE & ASSOCIATES, INC.

1 I, Jason M. Habermeyer, am the ECF User whose ID and password are being used to
2 file this [PROPOSED] ORDER AND STIPULATION OF DISMISSAL WITHOUT
3 PREJUDICE OF DEFENDANTS' COUNTERCLAIMS. In compliance with General Order
4 45, X.B., I hereby attest that Hugh A. Abrams, Harry C. Marcus and Bradley G. Lane have
5 concurred in this filing.

6 Dated: September 22, 2008

By: /s/ Jason M. Habermeyer

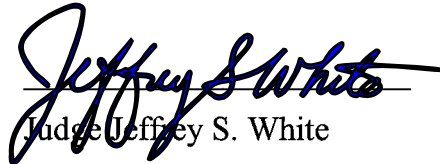
HOWARD
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CANADY
FALK
& RABKIN
A Professional Corporation

1 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that the counterclaims of
2 Defendant, Cook Incorporated, are dismissed without prejudice, and the counterclaims of
3 Defendant, W.L. Gore & Associates, Inc., are dismissed without prejudice.
4 This matter now being fully resolved, a separate judgment will issue.

5
6 **IT IS SO ORDERED:**

7 September 22, 2008

8 Date


Judge Jeffrey S. White

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13 HOWARD
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