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Attorneys for Defendants  
 Negevtech, Inc. and Negevtech Ltd.

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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

APPLIED MATERIALS, INC. and  
 APPLIED MATERIALS ISRAEL, LTD.,  
 Plaintiffs,  
 v.  
 NEGEVTECH, INC. and NEGEVTECH LTD.,  
 Defendants.

Case No. C04-03656 SI  
**STIPULATION OF DISMISSAL WITHOUT  
 PREJUDICE AND  
 [PROPOSED] ORDER OF DISMISSAL  
 WITHOUT PREJUDICE**

1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), plaintiffs Applied Materials,  
2 Inc. and Applied Materials Israel, Ltd. (collectively "Applied Materials") and defendants  
3 Negevtech, Inc. and Negevtech Ltd. (collectively "Negevtech") hereby stipulate, through their  
4 respective counsel, to dismiss all of their claims and counterclaims against each other in the above  
5 entitled action without prejudice. The parties are to bear their own costs and attorneys fees.

6  
7 Dated: October 20, 2009

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

8  
9 By: /S/ Chuck P. Ebertin

Chuck P. Ebertin

10 Attorneys for Plaintiffs  
11 Applied Materials, Inc. and  
12 Applied Materials Israel, Ltd.

13 Dated: October 20, 2009

MORRISON & FOERSTER LLP

14  
15 By: /S/ Shane Brun

Shane Brun

16 Attorneys for Defendants  
17 Negevtech, Inc. and Negevtech Ltd.

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19 I, Chuck P. Ebertin, attest that Shane Brun has concurred in the filing of this document.

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21 /S/ Chuck P. Ebertin

22 Chuck P. Ebertin

**[PROPOSED] ORDER**

1  
2 WHEREAS the parties have agreed to dismiss this action pursuant to the above stipulation,  
3 IT IS HEREBY ORDERED that this action is hereby dismissed WITHOUT PREJUDICE pursuant  
4 to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Each party is to bear its own costs and  
5 attorneys fees.

6 IT IS SO ORDERED.

7  
8 Dated: October \_\_, 2009



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Honorable Susan Illston  
UNITED STATES DISTRICT JUDGE

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