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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NETFLIX, INC., a Delaware corporation,

No. C 06-02361 WHA

Plaintiff,

v.

**ORDER RE JOINT STIPULATION  
OF DISMISSAL WITH  
PREJUDICE**

BLOCKBUSTER, INC., a Delaware  
corporation,

Defendant.

\_\_\_\_\_ /

The Court has signed a modified stipulation of dismissal with prejudice. The Court will not acquiesce in the proviso that the Court should retain jurisdiction because the parties did not supply a copy of the settlement agreement to the Court and it has no way of forecasting the difficulties counsel have in mind. Even if the settlement agreement were provided, the Court might or might not be willing to be a future referee for disputes arising out of the settlement agreement. Finally, in light of the parallel consumer class action, the Court's signing of this order should not be construed as judicial approval of the settlement agreement; rather, this order simply dismisses the action with prejudice at the request of the immediate parties.

**IT IS SO ORDERED.**

Dated: June 26, 2007.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

United States District Court  
For the Northern District of California