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

IN RE RUBBER CHEMICALS ANTITRUST
LITIGATION,

MDL Docket No. C-04-1648 MMC

THIS DOCUMENT RELATES TO:
C-07-1057

JUDGMENT IN A CIVIL CASE

() Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

(X) Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS SO ORDERED AND ADJUDGED Flexsys's motion to dismiss the TAC is hereby GRANTED, and the TAC is hereby DISMISSED, as follows:

1. The First, Second, and Third Causes of Action are hereby DISMISSED without leave to amend.
2. The Fourth and Fifth Causes of Action are hereby DISMISSED without prejudice to refileing in state court or any other appropriate forum.

Dated: December 4, 2008

Richard W. Wieking, Clerk



By: Tracy Lucero
Deputy Clerk