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[COUNSEL LISTED ON SIGNATURE PAGE]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RIVERBED TECHNOLOGY, INC., a  
Delaware corporation,  
  
Counterclaimant,  
  
v.  
  
QUANTUM CORPORATION,  
  
Counterdefendant.

Case No. C-07-04161-WHA  
  
**STIPULATED REQUEST FOR  
DISMISSAL OF ACTION, AND  
~~PROPOSED~~ ORDER THEREON**

Honorable William H. Alsup  
United States District Judge

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QUANTUM CORPORATION, a Delaware  
corporation,  
  
Counterclaimant,  
  
v.  
  
RIVERBED TECHNOLOGY, INC. a  
Delaware corporation,  
  
Counterdefendant.

Initial Complaint Filed: August 14, 2007

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**STIPULATION FOR DISMISSAL**

IT IS HEREBY STIPULATED by Riverbed Technology, Inc. ("Riverbed") and Quantum Corporation ("Quantum"), by and through their respective counsel of record herein, that this entire action, including all pending counterclaims, shall be dismissed as follows:

1. Riverbed's counterclaim for infringement of U.S. Patent No. 7,116,249 and Quantum's counterclaim for infringement of U.S. Patent No. 5,990,810 shall be dismissed with prejudice.

2. Quantum's declaratory judgment counterclaims for non-infringement and invalidity of U.S. Patent No. 7,116,249 and Riverbed's declaratory judgment counterclaims for non-infringement and invalidity of U.S. Patent No. 5,990,810 shall be dismissed without prejudice.

1 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

2 By his signature below, counsel for Quantum attests that counsel for Riverbed whose  
3 electronic signature is provided has concurred in this filing.

4 Dated: October 7, 2008

SHEPPARD MULLIN RICHTER & HAMPTON LLP

5 By: /s/ Nathaniel Bruno

6 Amar L. Thakur  
7 Mauricio A. Flores  
8 12275 El Camino Real, Suite 200  
9 San Diego, California 92130  
Telephone: 858-720-8900  
Facsimile: 858-509-3691

10 Nathaniel Bruno  
11 Four Embarcadero Center, 17<sup>th</sup> Floor  
12 San Francisco, CA 94111-4106  
Telephone: 415-434-9100  
Facsimile: 415-434-3947

13 Attorneys for QUANTUM CORPORATION

14 Dated: October 7, 2008

15 QUINN EMANUEL URQUHART OLIVER &  
16 HEDGES LLP

17 By: /s/ Todd M. Briggs

18 Claude M. Stern  
19 Todd M. Briggs  
20 555 Twin Dolphin Drive, Suite 560  
Redwood Shores, CA 94065  
Telephone: 650-801-5020  
Facsimile: 650-801-5100

21 Attorneys for RIVERBED TECHNOLOGY, INC.  
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**ORDER**

In accordance with the foregoing Stipulation of the parties, which is incorporated herein by reference, and with good cause appearing therefor,

**IT IS HEREBY ORDERED:**

This entire action (Northern District of California Case No. C-07-04161-WHA), including all pending claims and counterclaims, is hereby dismissed as follows, each party to bear its own fees and costs:

1. Riverbed Technology, Inc.'s ("Riverbed's") counterclaim for infringement of U.S. Patent No. 7,116,249 and Quantum Corporation's ("Quantum's") counterclaim for infringement of U.S. Patent No. 5,990,810 ARE HEREBY DISMISSED WITH PREJUDICE.

2. Quantum's declaratory judgment counterclaims for non-infringement and invalidity of U.S. Patent No. 7,116,249 and Riverbed's declaratory judgment counterclaims for non-infringement and invalidity of U.S. Patent No. 5,990,810 ARE HEREBY DISMISSED WITHOUT PREJUDICE.

**IT IS SO ORDERED.**

Dated: October 14, 2008.



Honorable William Alsup  
United States District Judge