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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WISTRON CORPORATION, a Taiwan corporation,

Plaintiff and Counter-Defendant,

v.

SAMSUNG ELECTRONICS CO., LTD., a Republic of Korea corporation,

Defendant and Counter-Plaintiff.

SAMSUNG ELECTRONICS CO., LTD.,

Counterclaim-Plaintiff,

v.

WISTRON CORPORATION, WISTRON INFOCOMM (TEXAS) CORPORATION, WISTRON INFOCOMM TECHNOLOGY (AMERICA) CORP., and WISTRON LLC

Counterclaim-Defendants.

CASE NO. C07-4748 VRW
JURY DEMANDED

STIPULATION AND ~~PROPOSED~~ ORDER FOR DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1) and (c), Plaintiff and Counterclaim-Defendant Wistron Corporation and Counterclaim-Defendants Wistron Infocomm (Texas) Corp., Wistron Infocomm Technology (America) Corp. and Wistron LLC (collectively “Wistron”), by and through their counsel of record, and Defendant and Counterclaim-Plaintiff Samsung

1 Electronics Co., Ltd. (“Samsung”), by and through its counsel of record, agree and stipulate as
2 follows:

3 1. All claims and counterclaims in this action brought by Wistron against Samsung or
4 by Samsung against Wistron are hereby dismissed without prejudice; and

5 2. Each party is to bear its own costs and attorneys’ fees in connection with these
6 claims and counterclaims.

7 Dated: January 30, 2009

K&L GATES LLP

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10 By /s/ Harold H. Davis, Jr.
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**ATTORNEYS FOR PLAINTIFFS AND
COUNTER-CLAIM DEFENDANTS
WISTRON CORPORATION, WISTRON
INFOCOMM (TEXAS) CORPORATION,
WISTRON INFOCOMM TECHNOLOGY
(AMERICA) CORPORATION, AND
WISTRON LLC**

17 Dated: January 30, 2009

DLA PIPER LLP (US)

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19
20 By /s/ Mark Fowler
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**ATTORNEYS FOR DEFENDANT AND
COUNTER-PLAINTIFF
SAMSUNG ELECTRONICS CO., LTD.**

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ORDER

PURSUANT TO STIPULATION, this matter is hereby dismissed without prejudice, with all parties to bear their own attorneys' fees and costs.

IT IS SO ORDERED.



VAUGHN R. WALKER
United States District Judge