

1 Robert A. Mittelstaedt #060359
 Tracy M. Strong #221540
 2 JONES DAY
 555 California Street, 26th Floor
 3 San Francisco, CA 94104
 Telephone: (415) 626-3939
 4 Facsimile: (415) 875-5700
 ramittelstaedt@jonesday.com
 5 tstrong@jonesday.com

6 Attorneys for Defendant
 APPLE INC.

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 **FREDRICK BLACK,**

11 **Plaintiff,**

12 **v.**

13 **APPLE INC.,**

14 **Defendant.**

Case No. C 07-05402 JCS

**STIPULATION OF VOLUNTARY
 DISMISSAL PURSUANT TO
 FEDERAL RULE OF CIVIL
 PROCEDURE 41(a)(1)**

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IT IS HEREBY STIPULATED that the above captioned action is voluntarily dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1). Each party shall bear their own fees and costs.

Dated: November 19, 2007

TRIPP SCOTT

By: 
William T. Cotterall

Attorneys for Plaintiff FREDRICK BLACK

Dated: November 19, 2007

JONES DAY

By: /s/ Robert A. Mittelstaedt
Robert A. Mittelstaedt

Attorneys for Defendant APPLE INC.

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2 Tracy M. Strong #221540
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9 tstrong@jonesday.com

10 Attorneys for Defendant
11 APPLE INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15 **FREDRICK BLACK,**

16 **Plaintiff,**

17 **v.**

18 **APPLE INC.,**

19 **Defendant.**

Case No. C 07-05402 JCS

**PROOF OF SERVICE ON
NON-EFILING PARTIES**

20 I am a citizen of the United States and employed in San Francisco County, California. I
21 am over the age of eighteen years and not a party to the within-entitled action. My business
22 address is 555 California Street, 26th Floor, San Francisco, California 94104. I am readily
23 familiar with this firm's practice for collection and processing of correspondence for mailing with
24 the United States Postal Service. On November 19, 2007, I served true and correct copies of the
25 following document(s):

26
27 **STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO FEDERAL
28 RULE OF CIVIL PROCEDURE 41(a)(1)**

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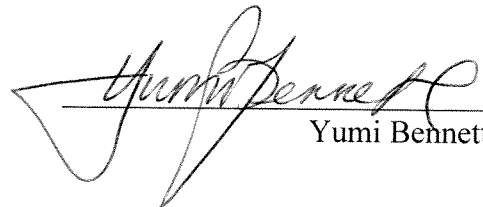
- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- by placing the document(s) listed above in a sealed _____ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a agent for delivery.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

William T. Cotterall, Esq.
TRIPP, SCOTT, P.A.
110 S.E. Sixth Street, 15th Floor
Fort Lauderdale, FL 33301

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 19, 2007, at San Francisco, California.



Yumi Bennett