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17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**

19 **RVC CORPORATION**, a Colorado
20 Corporation and **LEGATO**
21 **DEVELOPMENT, L.L.C.**, a Delaware
22 Limited Liability Company.

23 Plaintiffs,

24 v.

25 **ANHELO, L.L.C.**, a Delaware Limited
26 Liability Company and **CERRALVO, L.L.C.**,
27 a Delaware Limited Liability Company and
28 **CERRALVO DESARROADOR, S. de R.L.**
de C.V., a Mexican Limited Liability
Company,

Defendants.

CASE NO. CV 08 0975 EMC

Trial Date: May 18,2009

Complaint Filed: February 15, 2008

**STIPULATION AND [PROPOSED] ORDER
DISMISSING ACTION, WITH PREJUDICE**

1
2 Now come Plaintiffs, RVC Corporation and Legato Development L.L.C. ("Plaintiffs") and
3 Defendants, Anheló, L.L.C. and Cerralvo L.L.C. ("Defendants") (Plaintiffs and Defendants
4 collectively referred to as "The Parties") and hereby submit this Joint Stipulation of Dismissal with
5 Prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) to Dismiss all claims within
6 the Plaintiffs' Complaint and the Defendants' Counterclaim with prejudice, thereby dismissing this
7 action in its entirety. Each party shall bear its own costs and attorneys' fees.

8 This stipulation is made pursuant to the Parties' confidential Settlement and Release
9 Agreement executed and effective December 5, 2008. The Parties further stipulate that this Court
10 shall retain jurisdiction over the Settlement and Release Agreement executed by the Parties as the
11 exclusive venue for resolution of any dispute(s) arising out of or related to such agreement.

12 SO STIPULATED

13 DATED: December 10, 2008

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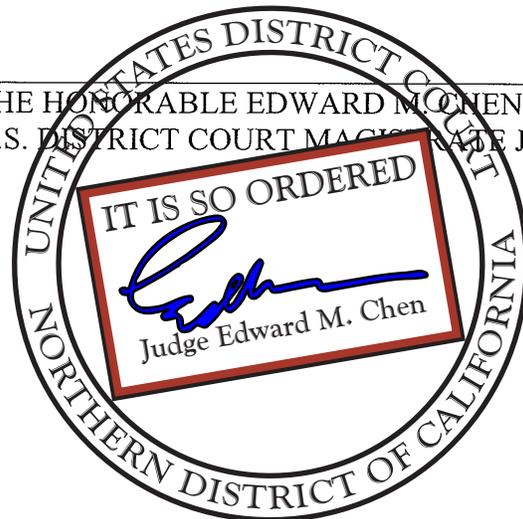
ORDER

Pursuant to the above stipulation, and for good cause appearing to the Court, it is hereby ordered that all claims in the above-captioned litigation shall be, and hereby is, dismissed with prejudice. Each party shall bear its own costs and attorney fees incurred in connection with this litigation. The Court notes that the parties have entered into a confidential Settlement and Release Agreement executed and effective December 5, 2008 and this Agreement serves as the basis for dismissal of this litigation. This Court shall retain jurisdiction over the Settlement and Release Agreement executed by the Parties as the exclusive venue for resolution of any dispute(s) arising out of or related to such agreement.

IT IS SO ORDERED

Dated: December 17, 2008

THE HONORABLE EDWARD M. CHEN
U.S. DISTRICT COURT MAGISTRATE JUDGE



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CERTIFICATE OF SERVICE

I hereby certify that on December , 2008, a copy of the foregoing Stipulation of Dismissal and Proposed Order was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

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