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6 Attorneys for Plaintiff  
 I. MICHAEL ROSS  
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8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

11  
 12 I. MICHAEL ROSS,

13 Plaintiff,

14 v.

15 TOMLAB OPTIMIZATION AB, TOMLAB  
 OPTIMIZATION, INC., and ANIL RAO,

16 Defendants.  
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CASE NO. C08-01052 MHP

**STIPULATION AND ORDER  
 FOR DISMISSAL OF ACTION  
 AS TO DEFENDANT ANIL RAO**

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1 WHEREAS:

2 A. Plaintiff I. Michael Ross (“ROSS”) and defendant Anil Rao (“RAO”) have reached  
3 an agreement settling, among other things, the dispute between them which forms the subject of  
4 ROSS’s claims against RAO in this action;

5 B. The settlement agreement provides, among other things, that this action shall be  
6 dismissed with prejudice as to RAO:

7 NOW THEREFORE, IT IS HEREBY STIPULATED by and between ROSS and RAO,  
8 through their undersigned counsel, that the action as to RAO shall be dismissed with prejudice, and  
9 that ROSS and RAO shall each pay his own costs and attorneys’ fees.

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Dated: December 4 , 2008 CARR & FERRELL LLP

By: /s/ Stuart C. Clark  
STUART C. CLARK  
CHRISTINE S. WATSON  
Attorneys for Plaintiff  
I. MICHAEL ROSS

Dated: December 4 , 2008 /s/ Derek A. Eletich  
DEREK A. ELETICH  
Attorney for Defendant  
ANIL RAO

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: December 5 , 2008

