

1 [COUNSEL LISTED ON SIGNATURE PAGE]

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RIVERBED TECHNOLOGY, INC.,

Plaintiff,

v.

QUANTUM CORPORATION, a Delaware
Corporation, A.C.N. 120 786 012 PTY. LTD.,
an Australian Company, and ROCKSOFT
LTD., an Australian Company,

Defendants.

Case No. C-08-1314-WHA

**STIPULATED REQUEST FOR
DISMISSAL OF ACTION, AND
[PROPOSED] ORDER THEREON**

Honorable William H. Alsup
United States District Judge

Complaint Filed in D. Del.: January 9, 2008
Case Transferred to N.D. Cal.: March 10, 2008

1 **STIPULATION FOR DISMISSAL**

2 IT IS HEREBY STIPULATED by Riverbed Technology, Inc. ("Riverbed"), on the
3 one hand, and Quantum Corporation ("Quantum"), A.C.N. 120 786 012 Pty. Ltd. ("A.C.N. 120"),
4 and Rocksoft Ltd. ("Rocksoft"), on the other hand, by and through their respective counsel of record
5 herein, that this entire action, consisting of Riverbed's declaratory judgment claims for non-
6 infringement and invalidity of U.S. Patent No. 5,990,810, shall be dismissed without prejudice.

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

8 By his signature below, counsel for Quantum, A.C.N. 120, and Rocksoft attests that counsel
9 for Riverbed whose electronic signature is provided has concurred in this filing.

10 Dated: October 7, 2008

SHEPPARD MULLIN RICHTER & HAMPTON LLP

11 By: /s/ Nathaniel Bruno

12 Amar L. Thakur
13 Mauricio A. Flores
14 12275 El Camino Real, Suite 200
15 San Diego, California 92130
16 Telephone: 858-720-8900
17 Facsimile: 858-509-3691

18 Nathaniel Bruno
19 Four Embarcadero Center, 17th Floor
20 San Francisco, CA 94111-4106
21 Telephone: 415-434-9100
22 Facsimile: 415-434-3947

23 Attorneys for QUANTUM CORPORATION,
24 A.C.N. 120 786 012 PTY. LTD., and ROCKSOFT
25 LTD.

26 Dated: October 7, 2008

QUINN EMANUEL URQUHART OLIVER &
HEDGES LLP

27 By: /s/ Todd M. Briggs

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

Attorneys for RIVERBED TECHNOLOGY, INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

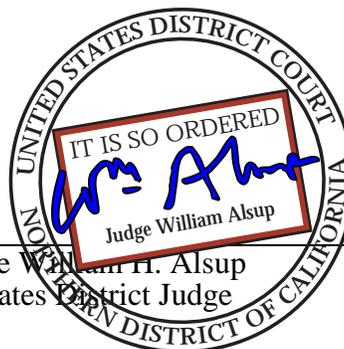
In accordance with the foregoing Stipulation of the parties, which is incorporated herein by reference, and with good cause appearing therefor,

IT IS HEREBY ORDERED that this entire action (Northern District of California Case No. C-08-1314-WHA) is hereby dismissed as follows, each party to bear its own fees and costs:

Riverbed Technology, Inc.'s declaratory judgment claims against Quantum Corporation ("Quantum"), A.C.N. 120 786 012 Pty. Ltd. ("A.C.N. 120"), and Rocksoft Ltd. ("Rocksoft") for non-infringement and invalidity of U.S. Patent No. 5,990,810 ARE HEREBY DISMISSED WITHOUT PREJUDICE, each party to bear its own fees and costs.

IT IS SO ORDERED.

Dated: October 14, 2008.



Honorable William H. Alsup
United States District Judge