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 d/b/a VNUS Medical Technologies

6 (additional counsel on signature page)

7 UNITED STATES DISTRICT COURT
 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 9 SAN FRANCISCO DIVISION

11 TYCO HEALTHCARE GROUP LP d/b/a) LEAD CASE NO. C08-03129 MMC
 12 VNUS MEDICAL TECHNOLOGIES,)
) CASE NO. C08-03129 MMC
 13 Plaintiff,)
) **STIPULATION AND ~~PROPOSED~~**
 14 v.) **ORDER FOR DISMISSAL OF**
) **DEFENDANT DORNIER MEDTECH**
 15 BIOLITEC, INC., DORNIER MEDTECH) **AMERICA, INC.**
 AMERICA, INC., and NEW STAR LASERS,)
 16 INC. d/b/a COOLTOUCH, INC.,)
)
 17 Defendants.)

18 _____)
 19 TYCO HEALTHCARE GROUP LP d/b/a) CASE NO. C08-04234 MMC
 VNUS MEDICAL TECHNOLOGIES,) (consolidated with Case No. C08-03129
 20 Plaintiff,) MMC)
 21)
 22 v.)
)
 23 TOTAL VEIN SOLUTIONS, LLC d/b/a)
 TOTAL VEIN SYSTEMS,)
 24 Defendant.)
 25)
 26 _____)

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 28

1 WHEREAS, Plaintiff Tyco Healthcare Group LP d/b/a VNUS Medical Technologies
2 (“VNUS”) and Defendant Dornier MedTech America, Inc. (“Dornier”) have entered into a
3 Settlement Agreement resolving all claims asserted by VNUS against Dornier and all counterclaims
4 asserted by Dornier against VNUS in the above-captioned action;

5 NOW THEREFORE, VNUS and Dornier hereby stipulate, by and through their respective
6 counsel, as follows:

7 1. Dornier is dismissed with prejudice from this action pursuant to Federal Rule of
8 Civil Procedure 41(a)(2);

9 2. The counterclaims asserted by Dornier against VNUS are dismissed with prejudice
10 pursuant to Federal Rule of Civil Procedure 41(c);

11 3. Each party will bear its own costs and attorneys’ fees;

12 4. The caption shall be amended in all subsequent pleadings to reflect this dismissal.
13
14

15 Dated: July 22, 2010

ATTORNEYS FOR PLAINTIFF TYCO
HEALTHCARE GROUP LP d/b/a
VNUS MEDICAL TECHNOLOGIES

/s/ Matthew B. Lehr

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1 Dated: July 22, 2010

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DORNIER MEDTECH AMERICA, INC.

2
3 /s/ A. Shane Nichols

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10
11 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

12 Dated: July 28, 2010

13 /s/ Vaughn R Walker for

THE HON. MAXINE M. CHESNEY
United States District Judge