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9

10   UNITED STATES DISTRICT COURT
           FOR THE NORTHERN DISTRICT OF CALIFORNIA
11   SAN FRANCISCO DIVISION

12

13 GOTUIT MEDIA CORPORATION,
                                          Case No. CV 08-03179 CRB
14   Plaintiff,

15 v.   **STIPULATION OF DISMISSAL
                                          WITHOUT PREJUDICE**
16 MICROSOFT CORPORATION,

17   Defendant.

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STIPULATION OF DISMISSAL WITHOUT PREJUDICE   CASE NO. CV 08-03179 CRB

Pursuant to an agreement of the parties dated October 30, 2008, the undersigned parties, through their respective counsel, hereby stipulate to dismissal of the above-captioned case as follows:

1.   All claims are dismissed without prejudice.

2.   Each party shall bear its own costs of suit and attorneys' fees.

Dated: October 30, 2008   Respectfully submitted,

                                            __/s/ Bruce Wecker_____
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                                            Attorney for MICROSOFT CORPORATION

1   I hereby attest that concurrence in the filing of this stipulation has been obtained for

2   all signatures indicated by a "conformed" signature (/s/) within this e-filed document.

3   Date: October 30, 2008   */s/ Bruce Wecker*
                                                Bruce Wecker
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6   PURSUANT TO STIPULATION, IT IS SO ORDERED.

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8   Dated: November _3, 2008   _____
                                                The Honorable Charles R. Breyer
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