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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FINISAR CORPORATION,

No. CV-08-3388 MMC

Plaintiff,

**JUDGMENT IN A CIVIL CASE**

v.

JDS UNIPHASE CORPORATION,

Defendant.

**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS SO ORDERED AND ADJUDGED** the Court lacks subject matter jurisdiction over the instant action, and, accordingly, the First Amended Complaint is hereby **DISMISSED** without prejudice.

Dated: March 26, 2009

Richard W. Wieking, Clerk



By: Tracy Lucero  
Deputy Clerk