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7 Attorneys for Plaintiff  
 OPENWAVE SYSTEMS INC.,  
 8 a Delaware corporation

9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

12 OPENWAVE SYSTEMS INC., a Delaware  
 corporation,

13 Plaintiff,

14 v.

16 RICHARD S. FULD, JR., MICHAEL L.  
 AINSLIE, ROLAND A. HERNANDEZ,  
 17 DAVID GOLDFARB, JOHN F. AKERS,  
 ROGER S. BERLIND, JOSEPH M.  
 18 GREGORY, THOMAS H. CRUIKSHANK,  
 MARSHA JOHNSON EVANS, HENRY  
 19 KAUFMAN, JOHN D. MACOMBER,  
 THOMAS A. RUSSO, CHRISTOPHER M.  
 20 O'MEARA, MELISSA CONROY  
 WHITNEY, TIM FORD, and DOES 1-50,  
 21 inclusive,

22 Defendants.

Case No. CV 08-05683 SI

**NOTICE OF DISMISSAL WITH  
 PREJUDICE**

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