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6 Attorneys for Defendants, INSTAPLAK, INC.  
 d/b/a IN THE SPOTLIGHT.COM, and  
 7 MICHAEL STEPHEN STERN

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 YELP! INC., a Delaware Corporation,

12 Plaintiff,

13 v.

14 INSTAPLAK, INC. D/B/A IN THE  
 SPOTLIGHT.COM, and MICHAEL  
 15 STEPHEN STERN,

16 Defendants.

CASE NO. CV 08-5761 WHA

**STIPULATION OF DISMISSAL AND  
~~PROPOSED~~ ORDER  
 WITH MODIFICATIONS**

17 INSTAPLAK, INC. D/B/A IN THE  
 18 SPOTLIGHT.COM,

19 Counterclaimant,

20 v.

21 YELP! INC.

22 Counterdefendant.

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1 **STIPULATION OF DISMISSAL**

2 The parties to the above-captioned action, through their undersigned authorized counsel,  
3 hereby agree and stipulate that this action, and all claims and counterclaims asserted therein, by  
4 either the plaintiff or the defendants are hereby dismissed with prejudice. Each side is to bear its  
5 own attorneys' fees and costs.

6 This Court shall retain jurisdiction for the purpose of enforcing the parties' settlement  
7 agreement.\*

8  
9 By: /s/ Julie S. Turner  
10 Julie S. Turner  
11 TURNER BOYD LLP  
12 2625 Middlefield Road, Number 675  
13 Palo Alto, CA 94306  
14 (650) 494-1530

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16 Attorneys for Plaintiff  
17 YELP! INC.

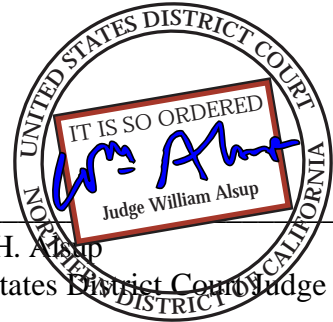
8  
9 By: /s/ Matthew A. Fischer  
10 Matthew A. Fischer  
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12 ARNOLD LLP  
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14 San Francisco, CA 94105  
15 (415) 781-7900

16 Attorneys for Defendants and Cross-  
17 Claimants INSTAPLAK, INC. AND  
18 MICHAEL STEPHEN STERN

19 **THE CLERK SHALL CLOSE THE FILE.**  
20 **IT IS SO ORDERED.**

21 Dated: December 29, 2009.

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\* The undersigned will only retain jurisdiction to enforce the settlement agreement for three years from the date of this order.