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 8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

12 OMNICELL, INC., a Delaware corporation,

13 Plaintiff,

14 v.

15 FLO HEALTHCARE SOLUTIONS, LLC, a
 16 Georgia limited liability company,

17 Defendant.

Case No. C09 00923

**PLAINTIFF'S NOTICE OF DISMISSAL
 PURSUANT TO FED. R. CIV. PRO.
 41(A)(1)(A)(I)**

Date: 6/17/09

Judge: Hon. Marilyn Hall Patel

Complaint Filed: 3/3/09

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 19 TO THE COURT, DEFENDANT, AND ITS ATTORNEYS OF RECORD:

20 Please take notice that Plaintiff, Omnicell, Inc. (“Omnicell”) hereby voluntarily dismisses
 21 the above-captioned lawsuit, without prejudice, pursuant to Fed. R. Civ. Pro. 41(a)(1)(A)(i).
 22 Plaintiff filed suit on March 3, 2009, and has not served its complaint on Defendant Flo
 23 Healthcare Solutions, LLC (“Flo”). Furthermore, as required under Fed. R. Civ. Pro.
 24 41(a)(1)(A)(i), Flo has not filed in this matter either an answer or a motion for summary judgment.
 25 Flo and Omnicell have reached an agreement, effective June 15, 2009, regarding this dispute. In
 26 accordance with this agreement, Omnicell files this notice of dismissal.

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DATED: June 17, 2009

Respectfully submitted,
TOWNSEND AND TOWNSEND AND CREW LLP

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6/18/09

