

1 David N. Kuhn - State Bar No. 73389  
 Attorney-at-Law  
 2 144 Hagar Avenue  
 Piedmont, CA 94611  
 3 Telephone: (510) 653-4983  
 E-mail: dnkuhn@pacbell.net  
 4 Attorney for plaintiff Gregory Bender

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 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

11 GREGORY BENDER, ) Case No. C 09-01140 WHA  
 12 )  
 plaintiff and ) [~~PROPOSED~~] ORDER OF DISMISSAL  
 13 counter-defendant, )  
 vs. )  
 14 )  
 EXAR CORPORATION, a Delaware )  
 15 corporation, )  
 )  
 16 defendant and )  
 counter-claimant. )  
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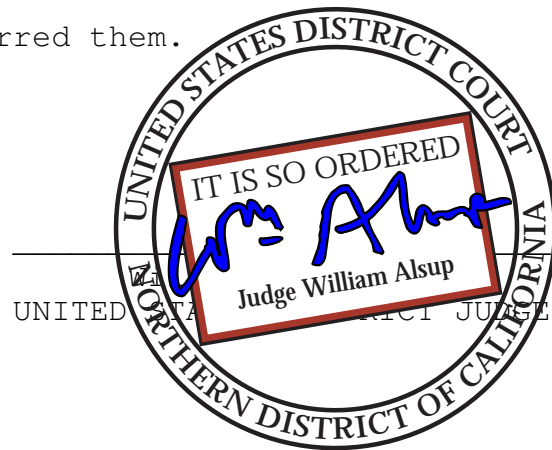
18 CAME ON THIS DAY for consideration of the Stipulated Motion  
 19 for Dismissal of all claims asserted by plaintiff and counter-  
 20 defendant Gregory Bender against defendant and counter-claimant  
 21 Exar Corporation and of all claims asserted by defendant and  
 22 counter-claimant Exar Corporation against plaintiff and counter-  
 23 defendant Gregory Bender in this action, with prejudice, and the  
 24 Court being of the opinion that said motion should be GRANTED, it  
 25 is hereby  
 26

1 ORDERED, ADJUDGED, AND DECREED that all claims asserted in  
2 this action by plaintiff and counter-defendant Gregory Bender  
3 against defendant and counter-claimant Exar Corporation and all  
4 claims asserted in this action by defendant and counter-claimant  
5 Exar Corporation against plaintiff and counter-defendant Gregory  
6 Bender are hereby dismissed, with prejudice.

7 It is further ORDERED that all attorneys' fees and costs are  
8 to be borne by the party that incurred them.

9 IT IS SO ORDERED.

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11 Dated: October 5, 2009



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~~[Proposed]~~ Order of Dismissal: C09-0114 WHA