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NUMONYX B.V.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JAMES B. GOODMAN,

Plaintiff,

vs.

NUMONYX B.V.,

Defendant.

Case No.: 09 CV-4243 MHP

STIPULATED DISMISSAL WITH PREJUDICE

CIVIL ACTION No.: 09-CV-4243 MHP
 STIPULATED DISMISSAL WITH PREJUDICE

1 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff JAMES B. GOODMAN ("Goodman")
2 and Defendant NUMONYX B.V. ("Numonyx B.V.") submit this Stipulated Dismissal with
3 Prejudice.

4 It has come to the attention of Goodman that Numonyx B.V. has been purchased by a
5 licensee of Goodman and since that acquisition, Numonyx B.V. has become licensed under the
6 patent-in-suit. In addition, Numonyx B.V. has represented to Goodman that certain psram
7 products (a component of the alleged infringement) used outside the United States by Numonyx
8 B.V. in the accused products in the Complaint were purchased from other licensees of Goodman.
9 Hence, Goodman has concluded that if there is any liability of Numonyx B.V. under the patent-in-
10 suit, the potential damages would be insignificant as compared to the cost of litigation. Therefore,
11 as long as Numonyx B.V. remains licensed for the patent-in-suit, Numonyx B.V. has no liability
12 for infringement of the patent-in-suit.

13 Therefore, the Parties Stipulate and Agree that all claims and counterclaims in the above
14 litigation should be dismissed with prejudice.

15 Each party shall bear its own attorney fees and expenses.

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Respectfully submitted,
FINK & JOHNSON

Dated July 6, 2010

By: /s/ David Fink
David Fink

Attorneys for Plaintiff
James B. Goodman

ARMSTRONG TEASDALE LLP

Dated July 6, 2010

By: /s/ Nicholas B. Clifford, Jr.
Nicholas B. Clifford, Jr

Attorney for Defendant
Numonyx B. V.

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Nicholas B. Clifford, Jr., attest that concurrence in the filing of this document has been obtained from each of the other signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 6, 2010 in St. Louis, Missouri.

By: /s/ Nicholas B. Clifford, Jr.
Nicholas B. Clifford, Jr

So Ordered:

