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5 Attorneys for Defendant
 TREND MICRO INCORPORATED

Attorneys for Plaintiff
 FORTINET, INC.

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 7 **UNITED STATES DISTRICT COURT**
 8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 9 **SAN FRANCISCO DIVISION**

10 FORTINET, INC., a Delaware Corporation,
 11 Plaintiff,
 12 v.
 13 TREND MICRO INCORPORATED, a
 14 California Corporation,
 15 Defendant.

Civil Case No.: C 10-0048 MMC

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

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 17 IT IS HEREBY STIPULATED by and between the parties to this action through their
 18 designated counsel that the above-captioned action be and hereby is dismissed with prejudice
 19 pursuant to Federal Rule of Civil Procedure 41(a)(1).

20 Each party shall bear its own attorneys' fees and costs.
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DATED: December 29, 2011

WILSON SONSINI GOODRICH & ROSATI

By: /s/ Stefani E. Shanberg¹
Stefani E. Shanberg
Attorneys for Plaintiff
FORTINET, INC.

DATED: December 29, 2011

COVINGTON & BURLING LLP

By: /s/ Robert D. Fram
Robert D. Fram
Attorneys for Defendant
TREND MICRO INCORPORATED

IT IS SO ORDERED.

DATED: January 9, 2012


Maxine M. Chesney
Hon. Maxine M. Chesney
United States District Court Judge

¹ In compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of this document has been obtained from the other signatory hereto.