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 FACEBOOK, INC.

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

12
 13 DANIEL M. MILLER,
 14 Plaintiff,
 15 v.
 16 FACEBOOK, INC. and YAO WEI YEO,
 17 Defendants.

Case No. 3:10-CV-00264 (WHA)

**STIPULATION OF DISMISSAL
 PURSUANT TO FED. R. CIV. P.
 41(A)(1)**

Court: Courtroom 9, 19th Floor
 Judge: Honorable William Alsup

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1 It is hereby stipulated by and between counsel to Plaintiff Daniel M. Miller (“Miller”) and
2 counsel to Defendant Facebook, Inc. (“Facebook”), pursuant to Rule 41(a)(1) of the Federal
3 Rules of Civil Procedure, as follows:

4 1. Defendant Facebook is dismissed with prejudice from all claims in the above-
5 captioned action.

6 2. Plaintiff Miller is dismissed with prejudice from all counterclaims in the above-
7 captioned action.

8 3. Each party will bear its own costs and attorneys’ fees.

9 4. This Court will retain jurisdiction to enforce the Settlement Agreement between
10 these parties, dated March 17, 2011.

11 5. This stipulation is not intended to dismiss or dispose of Plaintiff’s pending claims
12 in the above-captioned action against Defendant Yao Wei Yeo.

13 Dated: March 17, 2011

HENINGER GARRISON DAVIS, LLC

14
15 /s/ Timothy C. Davis

TIMOTHY C. DAVIS
Attorneys for Plaintiff
DANIEL M. MILLER

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18 Dated: March 17, 2011

ORRICK, HERRINGTON & SUTCLIFFE LLP

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20 /s/ I. Neel Chatterjee

I. NEEL CHATTERJEE
Attorneys for Defendant
FACEBOOK, INC.

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23 **Filer’s Attestation:** Pursuant to General Order No. 45, §X(B), I attest under penalty of
24 perjury that concurrence in the filing of the document has been obtained from its signatory.

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26 Dated: March 17, 2011

Respectfully submitted,

27 /s/ Julio Avalos

JULIO C. AVALOS