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FENWICK & WEST LLP

Case3:10-cv-02515-CRB Document40-1 Filed06/22/11 Page1 of 2 DARRYL M. WOO (CSB NO. 100513) dwoo@fenwick.com VIRGINIA K. DEMARCHI (CSB NO. 168633) vdemarchi@fenwick.com SAINA S. SHAMILOV (CSB NO. 215636) sshamilov@fenwick.com FENWICK & WEST LLP 555 California Street, 12th Floor San Francisco, CA 94104 Telephone: (415) 875-2300 Facsimile: (415) 281-1350 Attorneys for Plaintiffs-Counterdefendants YMAX CORPORATION, YMAX COMMUNICATIONS CORP., MAGICJACK LP, and TIGER JET NETWORKS, INC. UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION YMAX CORPORATION, YMAX Case No. C 10-02515 CRB **CPOSED** ORDER OF DISMISSAL OF **ENTIRE ACTION** Plaintiffs-Counterdefendants, v. Defendant-Counterclaimant. AND RELATED COUNTERCLAIMS.

15 COMMUNICATIONS CORP.. 16 MAGICJACK LP, and TIGER JET NETWORKS, INC., 17 18 19 AT&T INTELLECTUAL PROPERTY II, 20 L.P., 21

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CASE No. C 10-02515 CRB

[PROPOSED] ORDER OF DISMISSAL OF ENTIRE ACTION

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CAME ON THIS DAY for consideration of the Stipulated Motion for Dismissal the entire action, and the Court being of the opinion that said motion should be GRANTED, it is hereby ORDERED, ADJUDGED AND DECREED that the entire case is hereby dismissed with

prejudice, with the exception of YMax's defenses to patent infringement, which are dismissed without prejudice.

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

IT IS SO ORDERED

Dated: ______, 2011



FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO