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BRIAN D. HENRI (State Bar No. 200205)  
*brianhenri@henrilg.com*  
**HENRI LAW GROUP**  
640 W. California Ave, Suite 210  
Sunnyvale, California 94806  
Telephone: (650) 614-5807  
Facsimile: (650) 618-1937

AUSTIN TIGHE (*admitted pro hac vice*)  
*austin@feazell-tighe.com*  
**FEAZELL & TIGHE LLP**  
6618 Sitio Del Rio Boulevard  
Building C-101  
Austin, Texas 78730  
Telephone: 512 372 8100  
Facsimile: 512 372 8140

Attorneys for Plaintiffs

KEKER, VAN NEST & PETERS LLP  
R. JAMES SLAUGHTER - # 192813  
*rslaughter@keker.com*  
R. ADAM LAURIDSEN - # 243780  
*alauridsen@keker.com*  
NICHOLAS D. MARAIS - # 277846  
*nmarais@keker.com*  
CHESSIE THACHER - # 296767  
*cthacher@keker.com*  
633 Battery Street  
San Francisco, CA 94111-1809  
Telephone: 415 391 5400  
Facsimile: 415 397 7188

Attorneys for Defendant  
ELECTRONIC ARTS INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MICHAEL E. DAVIS, aka TONY DAVIS,  
VINCE FERRAGAMO, and BILLY JOE  
DUPREE, on behalf of themselves and all  
others similarly situated,  
  
Plaintiffs,  
  
v.  
  
ELECTRONIC ARTS INC.,  
  
Defendant.

Case No. 3:10-cv-3328-RS (DMR)  
  
**JOINT STIPULATION OF  
DISMISSAL; AND ORDER**  
  
Judge: Hon. Donna M. Ryu  
  
Date Filed: July 29, 2010  
  
Trial Date: September 30, 2019

1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs Michael E. Davis  
2 (aka Tony Davis), Vince Ferragamo, and Billy Joe DuPree (collectively, the “Plaintiffs”), and  
3 Defendant Electronic Arts Inc. (“EA”) hereby stipulate as follows:

- 4 1. Plaintiffs and EA have entered into a confidential non-class settlement agreement.
- 5 2. Plaintiffs agree to voluntarily dismiss with prejudice all of the individual claims  
6 they brought in the operative Second Amended Complaint, Dkt. 231-1.
- 7 3. The parties agree to the voluntary dismissal without prejudice to all purported  
8 class claims against EA.
- 9 4. The dismissal is without an award of costs, expenses, and attorneys’ fees as to any  
10 party, and each party shall bear its own costs, expenses, and attorneys’ fees.
- 11 5. The Honorable Richard Seeborg shall retain jurisdiction to enforce the settlement  
12 agreement, if necessary.

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15 Dated: May 2, 2019

HENRI LAW GROUP

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17 By: /s/ Brian D. Henri  
BRIAN D. HENRI

18 Attorneys for Plaintiffs

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21 Dated: May 2, 2019

KEKER, VAN NEST & PETERS LLP

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23 By: /s/ R. James Slaughter  
R. JAMES SLAUGHTER  
R. ADAM LAURIDSEN  
NICHOLAS D. MARAIS  
CHESSIE THACHER

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26 Attorneys for Defendant  
ELECTRONIC ARTS INC.

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**ORDER**

The parties have stipulated to dismiss the action as to the individual claims of plaintiffs Michel E. Davis, Vince Ferragamo, and Billy Joe DuPree with prejudice, and with each party bearing their own fees and costs. The stipulation of dismissal does not impact the rights of the class that may proceed in a different action.

Federal Rules of Civil Procedure 41 permits plaintiffs to dismiss an action without a court order “by filing ...a stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii). Because all parties who have appeared in the action signed the stipulation, it automatically terminate[d] the action.” *Wilson v. City of San Jose*, 111 F. 3d 688, 692 (9th Cir. 1997). Accordingly, the Court of Court is **DIRECTED** to close this action.

IT IS SO ORDERED.

Dated May 7, 2019



HON. RICHARD SEEBORG  
UNITED STATES DISTRICT COURT JUDGE

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**CERTIFICATION OF CONCURRENCE FROM ALL SIGNATORIES**

I, Brian Henri, am the ECF user whose ID and password are being used to file this Joint Stipulation of Dismissal. In compliance with N.D. Cal. Civ. L.R. 5-1(i)(3), I hereby attest that I have obtained the concurrence of each signatory to this document.

*/s/ Brian Henri*  
\_\_\_\_\_  
Brian Henri