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Attorneys for Defendant
 ZYNGA GAME NETWORK INC.

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION

19 DIGITAL CHOCOLATE, INC., a Delaware
 corporation,

20 Plaintiff,

21 v.

22 ZYNGA GAME NETWORK INC., a
 23 Delaware corporation,

24 Defendant.

Case No. CV 10-03758 WHA

**STIPULATION OF DISMISSAL OF
 ENTIRE ACTION WITH PREJUDICE**

Hon. William H. Alsup

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Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff Digital Chocolate, Inc. ("Plaintiff") and Defendant Zynga Inc., formerly known as Zynga Game Network Inc. ("Defendant"), by and through their counsel of record, hereby stipulate and agree that the above-captioned action should be dismissed with prejudice pursuant to FRCP 41(a)(1)(A)(ii). Plaintiff and Defendant further stipulate that each party shall bear its own costs and attorneys' fees.

IT IS SO STIPULATED.

Dated: January 28, 2011

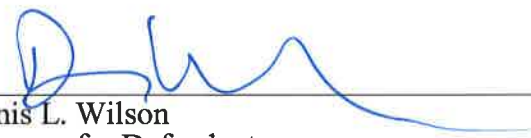
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/s/ Gavin L. Charlston

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DIGITAL CHOCOLATE, INC.

Dated: January 28 2011

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Zynga Game Network Inc.)