

1 GIBSON, DUNN & CRUTCHER LLP
 2 JOEL S. SANDERS, SBN 107234
 3 jsanders@gibsondunn.com
 4 RACHEL S. BRASS, SBN 219301
 5 rbrass@gibsondunn.com
 6 AUSTIN V. SCHWING, SBN 211696,
 7 aschwing@gibsondunn.com
 8 555 Mission Street, Suite 3000
 9 San Francisco, CA 94105
 10 Telephone: (415) 393-8200
 11 Facsimile: (415) 986-5309

12 Attorneys for Defendant
 13 TATUNG COMPANY OF AMERICA, INC.

14 **[Additional moving parties and counsel
 15 listed on signature page]**

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

19 In re TFT-LCD (FLAT PANEL) ANTITRUST
 20 LITIGATION

CASE No. 3:10-cv-04572 SI

21 This Document Relates to:

MDL No. 3:07-MD-1827 SI

22 *Best Buy Co., Inc., et al. v. AU Optronics Corp.,
 23 et al.*, No. 3:10-cv-04572 SI

**STIPULATION AND ~~[PROPOSED]~~
 ORDER FOR VOLUNTARY
 DISMISSAL OF PLAINTIFFS' CLAIMS
 AGAINST TATUNG COMPANY OF
 AMERICA, INC. WITHOUT
 PREJUDICE**

24

25
26
27
28

1 Defendant Tatung Company of America, Inc. (“Tatung America”) and Plaintiffs Best Buy
2 Co., Inc., Best Buy Purchasing LLC, Best Buy Enterprise Services, Inc., Best Buy Stores, L.P.,
3 BestBuy.com L.L.C., and Magnolia Hi-Fi, Inc. (“Plaintiffs”) stipulate as follows:

- 4 1. Plaintiff’s claims against Tatung America are hereby dismissed without prejudice.
- 5 2. Both Plaintiff and Tatung America are to bear their own costs and fees.
- 6 3. This stipulation does not affect the rights or claims of Plaintiffs against any other
7 defendant or alleged co-conspirator in the above-captioned case.

8
9 **IT IS SO STIPULATED.**

10
11 Respectfully submitted,

12
13 Dated: December 19, 2012

By: /s/ David Martinez

14 Roman M. Silberfeld, SBN 62783
15 David Martinez, SBN 193183
16 ROBINS, KAPLAN MILLER & CIRESI
17 L.L.P.
18 2049 Century Park East, Suite 3400
19 Los Angeles, CA 90067-3208
20 Telephone: (310) 552-0130
21 Facsimile: (310) 229-58001
22 Telephone: (213) 443-5582
23 Facsimile: (213) 622-2690

Counsel for Plaintiffs Best Buy Co., Inc., Best
Buy Purchasing LLC, Best Buy Enterprise
Services, Inc., Best Buy Stores, L.P., and
Magnolia Hi-Fi, Inc.

/s/ Rachel S. Brass

24 GIBSON, DUNN & CRUTCHER LLP
25 JOEL S. SANDERS, SBN 107234,
26 jsanders@gibsondunn.com
27 RACHEL S. BRASS, SBN 219301,
28 rbrass@gibsondunn.com
AUSTIN V. SCHWING, SBN 211696,
aschwing@gibsondunn.com
555 Mission Street, Suite 3000
San Francisco, CA 94105-2933
Telephone: 415.393.8200

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Facsimile: 415.393.8306

*Attorneys for Defendant Tatung Company Of
America, Inc.*

**Pursuant to Civil L.R. 5-1, the filer attests that concurrence in the filing of this
document has been obtained from the other signatory.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROPOSED ORDER

The Court, having considered the stipulation of the parties, and good cause appearing, orders as follows:


1. The action filed by Plaintiffs Best Buy Co., Inc., Best Buy Purchasing LLC, Best Buy Enterprise Services, Inc., Best Buy Stores, L.P., and Magnolia Hi-Fi, Inc. TracFone Wireless, Inc. (“Plaintiffs”) is dismissed without prejudice as against Defendant Tatung Company of America, Inc. (“Tatung America”) pursuant to Federal Rule of Civil Procedure 41(a)(2).

2. Each of the parties shall bear its own costs and attorneys’ fees.

3. This order does not affect the rights or claims of Plaintiffs against any other defendant or alleged co-conspirator in the above-captioned cases.

IT IS SO ORDERED.

Dated: December 20, 2012



Hon. Susan Y. Illston
United States District Judge