

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

MEDIOSTREAM, INC.,

Plaintiff,

v.

ACER INC., ET AL.,

Defendants.

Case No.: 3:10-cv-05762-RS

**[PROPOSED] ORDER AND  
STIPULATION OF DISMISSAL**

Judge Richard Seeborg

IT IS HEREBY STIPULATED, by and among Plaintiff MedioStream, Inc. and Defendant Microsoft Corporation (collectively the “Parties”) through their counsel of record and subject to the approval of the Court that:

1. All claims presented by MedioStream, Inc. in this litigation are dismissed with prejudice as to Microsoft Corporation;
2. All other claims presented by MedioStream, Inc. in this litigation against other Defendants are dismissed with prejudice as to any product, service, software, equipment, or other technology of Microsoft Corporation;
3. The Parties shall bear their own costs and attorneys’ fees.

*/s/ Henry C. Bunsow*

*/s/ Michael K. Plimack*

Henry C. Bunsow (State Bar No. 060707)  
hbunsow@bdiplaw.com  
Bunsow De Mory Smith & Allison LLP  
55 Francisco Street, Suite 600  
San Francisco, CA 94133  
Tel: (415) 426-4747  
Fax: (415) 426-4744

Michael K. Plimack (SBN 133869)  
Scott A. Schrader (SBN 219673)  
COVINGTON & BURLING LLP  
One Front Street  
San Francisco, CA 94111  
Telephone: (415) 591-6000  
Facsimile: (415) 591-6091  
Email: mplimack@cov.com  
Email: sschrader@cov.com

Byron Cooper (State Bar No. 166578)  
530 Lytton Avenue, Suite 200

Palo Alto, California 94301  
Telephone: (650) 283-4244  
Fax: (650) 617-3201  
Email: bcooper@teklaw.co

S. Calvin Capshaw (pro hac vice)  
Elizabeth L. DeRieux (pro hac vice)  
CAPSHAW DeRIEUX, LLP  
114 E. Commerce Ave.  
Gladewater, TX 75647  
Tel: (903) 236-9800; Fax: (903) 236-8787  
Email: ccapshaw@capshawlaw.com  
Email: ederieux@capshawlaw.com


George F. Pappas (admitted *pro hac vice*)  
Ranganath T. Sudarshan (SBN 244984)  
COVINGTON & BURLING LLP  
1201 Pennsylvania Ave. N.W.  
Washington, DC 20004-2401  
Telephone: (202) 662-6000  
Facsimile: (202) 662-6291  
Email: gpappas@cov.com  
Email: wzapf@cov.com

*Counsel for Defendant Microsoft Corporation*

*Counsel for Plaintiff MedioStream, Inc.*

IT IS SO ORDERED.

Dated: 4/26/13

  
\_\_\_\_\_  
Hon. Richard Seeborg  
United States District Judge