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11 *ADDITIONAL COUNSEL LISTED ON SIGNATURE PAGE*

12 Counsel for Plaintiff
 POSITIVE TECHNOLOGIES, INC.

14 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
 15 **SAN FRANCISCO DIVISION**

16	POSITIVE TECHNOLOGIES, INC.,)	Case No.: 11-CV-2226 SI
)	
17	Plaintiff,)	
)	
18	vs.)	
)	
19	SONY ELECTRONICS, INC.,)	STIPULATION OF DISMISSAL OF
	AMAZON.COM, INC., BARNES & NOBLE,)	KOBO INC.
	INC., AND KOBO INC.,)	
20)	
	Defendants,)	
21)	

1 This Stipulation and Proposed Order is entered into by and among Plaintiff Positive
2 Technologies, Inc. (“PTI”) and Defendant Kobo Inc. (“Kobo”) (collectively, the “Parties”) to the
3 above-captioned action.

4 **WHEREAS**, the parties have advised the Court that they have settled and resolved their
5 differences and have entered into an agreement setting out the terms and conditions of the
6 settlement, and as part of such agreement have agreed to the dismissal of this case in accordance
7 with the entry of this Order.

8 The Parties agree as follows and request that the Court enter an Order approving this
9 Stipulation:

10 1. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Positive
11 Technologies, Inc. (“PTI”) and Defendant Kobo Inc. (“PTI”), by and through their undersigned
12 counsel of record, hereby stipulate to the voluntary dismissal with prejudice of PTI’s claims
13 against Kobo, and Kobo’s counterclaims against PTI, with each party to bear its own costs,
14 expenses, and attorney’s fees.

15 2. The parties submit to and the Court does hereby retain exclusive and continuing
16 jurisdiction over the parties and the subject matter of this action for the purpose of enforcing the
17 parties’ settlement agreement dated July 6, 2012.

18 **IT IS SO STIPULATED.**

19 Dated: July 17, 2012

20 By: /s/ Deanna L. Kwong
21 Robert Haslam
22 Deanna L. Kwong
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Attorneys for Defendant Kobo Inc.

1 Dated: July 17, 2012

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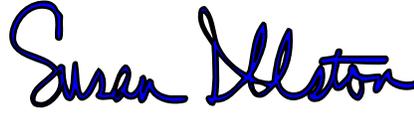
23 *Attorneys for Plaintiff Positive Technologies, Inc.*

21 **ATTESTATION:** Pursuant to General Order 45, Part X-B, the filer attests that
22 concurrence in the filing of this document has been obtained from all signatories.

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IT IS SO ORDERED.

Dated: 7/18/12



By: _____

SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE