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 Priceline.com, Inc.

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 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION
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16 EIT HOLDINGS LLC, a Delaware company,
 17 Plaintiff,
 18 vs.
 19 PRICELINE.COM, INC., a Delaware
 20 Corporation,
 21 Defendant.

Case No. 3:11-CV-02468 MEJ

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO DISMISS ALL CLAIMS
 BETWEEN EIT HOLDINGS LLC AND
 PRICELINE.COM, INC. WITH
 PREJUDICE**

~~**DEMAND FOR JURY TRIAL**~~

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1 Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the Plaintiff, EIT
2 Holdings LLC (“EIT”) and Defendant, Priceline.com, Inc. (“Priceline.com”) have agreed to
3 dismiss all claims against each other in the above-captioned action. The parties, therefore, move
4 this Court to dismiss the above-entitled cause and all claims by EIT against Priceline.com and all
5 claims by Priceline.com against EIT made therein WITH PREJUDICE.

6 The parties further move the Court to order that all costs and expenses relating to this
7 litigation (including attorney and expert fees and expenses) shall be borne solely by the party
8 incurring same.

9 So Stipulated.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: February 8th, 2013



Honorable Maria-Elena James
Chief United States Magistrate Judge

GOLDSTEIN LAW, PLLC
By: /s/ Edward W. Goldstein
Edward W. Goldstein (Pro Hac Vice)
Attorneys for Plaintiff
EIT HOLDINGS LLC

DURIE TANGRI, LLP
By: /s/ Ryan Kent
Ryan Kent
Attorneys for Defendant
PRICELINE.COM INC.

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ATTESTATION

I hereby attest pursuant to General Order 45.X.B that concurrence in the electronic filing of this document has been obtained from the signatories.

Dated: February 8, 2013

/s/ Edward W. Goldstein
Edward W. Goldstein

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on February 8, 2013, or, if not yet registered with the Court's CM/ECF system, via electronic mail pursuant to Fed.R.Civ.P. 5(b)(2)(E). Any other counsel of record will be served by first class U.S. Mail.

Dated: February 8, 2013

/s/ Edward W. Goldstein
Edward W. Goldstein