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 7 D/B/A KISSMETRICS

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10
 11 JOHN B. KIM and DAN C.
 12 SCHUTZMAN, Individually, on Behalf
 of Themselves and All Others Similarly
 Situated,

13 Plaintiffs,

14 v.

15 SPACE PENCIL, INC. D/B/A
 16 KISSMETRICS, et. al.

17 Defendants.

USDC ND CAL NO. 3:11-cv-03796-LB

STIPULATION TO DISMISSAL

ORDER

MAGISTRATE JUDGE LAUREL
 BEELER

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 19
 20 Plaintiffs John B. Kim and Dan C. Schutzman, on behalf of themselves and
 21 others (collectively, "Plaintiffs") and Defendant Space Pencil, Inc. d/b/a/ KISSmetrics
 22 ("KISSmetrics"), having reached and implemented the settlement agreement referred
 23 to in this Court's November 28, 2012 order approving same, hereby stipulate to
 24 dismissal with prejudice of the Second Amended Complaint filed April 2, 2012 in this
 25 matter. This stipulation is by all remaining parties to the action, and hence disposes of
 26 the action in its entirety.

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Respectfully submitted,

DATED: January 10, 2013

NIELSEN HALEY & ABBOTT LLP

By: 

STEPHEN W. CUSICK

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/S/
By: _____
DAVID C. PARISI

Attorneys for Plaintiffs

JOHN B. KIM and DAN C. SCHUTZMAN

Date: January 11, 2013



STIPULATION TO DISMISSAL

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ATTORNEY ATTESTATION

Pursuant to General Order 45, I, Stephen W. Cusick, hereby attest that concurrence in the filing of this document has been obtained from the above-listed counsel.

DATED: *February 10, 2013*



Stephen W. Cusick