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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 AVOCET SPORTS TECHNOLOGY,
INC.,

12 Plaintiff,

13 v.

14 GARMIN INTERNATIONAL, INC.,
15 POLAR ELECTRO, INC., AND CASIO
AMERICA, INC.,

16 Defendants.
17 _____ /

No. 3:11-cv-04049-JW

~~[PROPOSED]~~ ORDER GRANTING
DISMISSAL OF PLAINTIFF'S CLAIMS
AGAINST DEFENDANTS POLAR
ELECTRO, INC. AND CASIO
AMERICA, INC. DUE TO MISJOINDER
WITHOUT PREJUDICE TO RE-FILE
AS A SEPARATE ACTION

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21 The court having considered the stipulation of counsel and its prior order of
22 March 22, 2012 (Doc 109), and good cause appearing,

23 **IT IS HEREBY ORDERED** as follows:

24 1. Plaintiff AVOCET SPORTS TECHNOLOGY, INC.'s claims against
25 defendants POLAR ELECTRO, INC. ("Polar") AND CASIO AMERICA, INC. ("Casio")
26 are hereby dismissed under Federal Rules of Civil Procedure 21, without prejudice to
27 plaintiff to re-file as separate actions against each of them, provided plaintiff files such
28 separate actions within ten (10) days of the issuance of this order.

1 2. Plaintiff's claims against defendant GARMIN INTERNATIONAL, INC.
2 ("Garmin") shall remain in this case.

3 DATED: April 27, 2012

