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Counterclaim Plaintiff
 ROUND ROCK RESEARCH LLC

17 **UNITED STATES DISTRICT COURT**
 18 **NORTHERN DISTRICT OF CALIFORNIA**

20 SANDISK CORPORATION,
 21 Plaintiff and Counterclaim Defendant,
 22 vs.
 23 ROUND ROCK RESEARCH LLC,
 24 Defendant and Counterclaim Plaintiff.

Case No. 11-cv-05243-RS

STIPULATION AND
~~PROPOSED~~ ORDER
DISMISSING CERTAIN CLAIMS

26 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), SanDisk Corporation (“SanDisk”) and Round Rock Research LLP (“Round Rock”) hereby stipulate to dismiss the following causes of
 27 action. SanDisk stipulates to dismiss its fifth cause of action (Declaratory Judgment of Non-
 28

1 Infringement of U.S. Patent No. 6,272,586) and its seventh cause of action (Declaratory Judgment of
2 Non-Infringement of U.S. Patent No. 7,483,334) without prejudice. Round Rock stipulates to dismiss
3 the eleventh count of its counterclaims (Infringement of U.S. Patent No. 7,483,334) and its sixth count
4 of its counterclaims (Infringement of U.S. Patent No. 6,272,586) with prejudice.
5

6 Dated: December 4, 2013

VINSON & ELKINS LLP

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8 By: /s/ Chuck P. Ebertin
Chuck P. Ebertin

9 Attorneys for Plaintiff and Counterclaim
10 Defendant SANDISK CORPORATION

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12 Dated: December 4, 2013

DESMARAIS LLP

13
14 By: /s/ John C. Spaccarotella
John C. Spaccarotella (*admitted pro hac vice*)

15 Attorneys for Defendant and Counterclaim
16 Plaintiff ROUND ROCK RESEARCH LLC

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19 **Civil L.R. 5-1(i)**

20 I, Chuck P. Ebertin, hereby attest that John Spaccarotella has concurred in the filing of this
21 document.

22 By: /s/ Chuck P. Ebertin
Chuck P. Ebertin
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CERTIFICATE OF SERVICE

The undersigned certifies that on December 4, 2013, the foregoing document was filed with the Clerk of the U. S. District Court for the Northern District of California, using the court’s electronic case filing system (ECF), in compliance with Civil L.R. 5-1. The ECF sends a Notice of Electronic Filing (NEF) to all parties and counsel who have appeared in this action and who have consented under Civil L.R. 5-1 to accept that NEF as service of this document.

Vinson & Elkins LLP

/s/ Chuck P. Ebertin

Chuck P. Ebertin

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~~PROPOSED~~ ORDER

Pursuant to the above stipulation, SanDisk's fifth cause of action (Declaratory Judgment of Non-infringement of U.S. Patent No. 6,272,586) and SanDisk's seventh cause of action (Declaratory Judgment of Non-Infringement of U.S. Patent No. 7,483,334) are hereby dismissed *without prejudice*. Pursuant to the above stipulation, Round Rock's eleventh count of its counterclaims (Infringement of U.S. Patent No. 7,483,334) and Round Rock's sixth count of its counterclaims (Infringement of U.S. Patent No. 6,272,586) are hereby dismissed *with prejudice*.

IT IS SO ORDERED.

Dated: 12/9/13



Honorable Richard Seeborg
United States District Judge