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13 *Plaintiff Vasudevan Software, Inc.*

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 16 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
 17 **SAN FRANCISCO DIVISION**

18 VASUDEVAN SOFTWARE, INC.,

19 Plaintiff,

20 vs.

21 TIBCO SOFTWARE INC. and SPOTFIRE,  
 INC.

22 Defendants.

Case No. 3:11-06638-RS

STIPULATION OF DISMISSAL OF  
 SPOTFIRE, INC. AND [~~PROPOSED~~]  
 ORDER

23  
 24 WHEREAS, Defendants TIBCO Software Inc. and Spotfire, Inc. entered into an  
 25 "Assignment and Assumption Agreement," dated June 5, 2007, that governs the assignment of  
 26 assets and assumption of liabilities from Spotfire, Inc. to TIBCO Software Inc.;

27  
 28 STIPULATION OF DISMISSAL - 1

1 WHEREAS TIBCO Software Inc. was actually assigned the assets and actually assumed  
2 the liabilities of Spotfire, Inc. according to the terms of that June 5, 2007 Assignment and  
3 Assumption Agreement, except for Spotfire, Inc.'s equity in Spotfire Japan KK;

4 WHEREAS, Defendant Spotfire, Inc. has not existed as a corporation since it was  
5 dissolved on June 16, 2010 and Spotfire Japan KK was merged out of existence on March 3,  
6 2008;

7 WHEREAS, Defendant TIBCO Software Inc. agrees to respond to discovery requests  
8 concerning Spotfire, Inc.'s accused products, knowledge, actions and documents in this lawsuit,  
9 to the extent such information is within TIBCO Software Inc.'s possession, custody or control,  
10 and to the extent such discovery is not otherwise protected from discovery by any local or federal  
11 rule or law, any stipulations or agreements between the parties, or any applicable rulings of this  
12 Court;

13 WHEREAS, Plaintiff Vasudevan Software, Inc. has no objection to voluntarily dismissing  
14 Spotfire, Inc. from this action subject to the representations set forth herein;

15 NOW THEREFORE, it is stipulated, by and between Plaintiff and Defendants that  
16 Defendant Spotfire, Inc. shall be voluntarily dismissed from this action pursuant to Fed. R. Civ.  
17 P. 41(a).

18 Plaintiff and Defendants agree and acknowledge that this Stipulation shall have no impact  
19 on any other deadlines that may currently exist in this action.

20  
21 Dated: February 17, 2012

SUSMAN GODFREY LLP

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23 By: /s/ Nabeel H. Peracha  
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25 Lead Attorney  
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1  
2 Dated: February 17, 2012

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23 SPOTFIRE, INC.  
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PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

DATED: 2/22/12



Hon. Richard Seeborg  
United States District Judge

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 17th day of February, 2012, a true and correct copy of the foregoing document was served on all parties via CM/ECF and/or email to counsel.

/s/ Nabeel H. Peracha  
Nabeel H. Peracha