

PAUL KOZACHENKO (SBN 104601)
 paulk@gkfremontlaw.com
 GONSALVES & KOZACHENKO
 1133 Auburn Street
 Fremont, CA 94538
 Telephone: (510) 770-3900
 Facsimile: (510) 657-9876

JOSEPH A. HEARST (SBN: 130284)
 jahearst@pacbell.net
 1563 Solano Ave. #525
 Berkeley, CA 94707
 Telephone: (510) 528-6863

Attorneys for Plaintiff Metabyte, Inc.

I. NEEL CHATTERJEE (SBN 173985)
 nchatterjee@orrick.com
 ORRICK, HERRINGTON & SUTCLIFFE LLP
 1000 Marsh Road
 Menlo Park, CA 94025
 Telephone: (650) 614-7400
 Facsimile: (650) 614-7401

BENJAMIN S. LIN (SBN 232735)
 blin@orrick.com
 ORRICK, HERRINGTON &
 SUTCLIFFE LLP
 2050 Main Street, Suite 1100
 Irvine, CA 92614-8255
 Telephone: (949) 567-6700
 Facsimile: (949) 567-6710

*Attorneys for Defendants NVIDIA Corporation,
 David Cook, Viatcheslav Gostrenko, Andrei
 Osnovich, Michael Yaroslavtsev, and Mikhail
 Krivega*

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

METABYTE, INC., a California corporation,

Plaintiff,

v.

NVIDIA CORPORATION, a Delaware
 corporation, DAVID COOK, an individual,
 VIATCHESLAV GOSTRENKO, an
 individual, ANDREI OSNOVICH, an
 individual, MICHAEL YAROSLAVTSEV,
 an individual, and MIKHAIL KRIVEGA, an
 individual, and DOES 1-5,

Defendants.

Case No. 3:12-cv-00044-SC

**STIPULATED NOTICE OF
 VOLUNTARY DISMISSAL OF
 ACTION WITH PREJUDICE**

TO THE COURT, PARTIES, AND COUNSEL OF RECORD:

PLEASE TAKE NOTICE that the parties, by through their counsel of record, hereby stipulate and agree that this action, including but not limited to all causes of action asserted by Plaintiff Metabyte, Inc., shall be and hereby is voluntarily dismissed WITH PREJUDICE pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Each party shall bear its own attorneys' fees and costs.

IT IS SO STIPULATED.

Dated: May 6, 2014

Respectfully submitted,

PAUL KOZACHENKO
GONSALVES & KOZACHENKO

By: /s/ Paul Kozachenko /s/
Paul Kozachenko
Attorneys for Plaintiff Metabyte, Inc.

JOSEPH A. HEARST

By: /s/ Joseph A. Hearst /s/
Joseph A. Hearst
Attorneys for Plaintiff Metabyte, Inc.

I. NEEL CHATTERJEE
MICHAEL C. SPILLNER
ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ I. Neel Chatterjee /s/
I. NEEL CHATTERJEE
Attorneys for Defendants NVIDIA
Corporation, David Cook, Viatcheslav
Gostrenko, Andrei Osnovich, Michael
Yaroslavtsev, and Mikhail Krivega



CERTIFICATION OF CONCURRENCE

Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of the document has been obtained from each of the signatories.

 /s/ Paul Kozachenko /s/
Paul Kozachenko