

1 DAVIS WRIGHT TREMAINE LLP
 MARTIN L. FINEMAN, Bar No. 1104413
 2 Email: martinfineman@dwt.com
 505 Montgomery Street, Suite 800
 3 San Francisco, CA 94111
 Phone: (415) 276-6575/Fax: (415) 276-6599

4 NIRO, HALLER & NIRO
 5 Dean D. Niro (Pro Hac Vice)
 Email: dniro@nshn.com
 6 David J. Mahalek (Pro Hac Vice)
 Email: mahalek@nshn.com
 7 Robert A. Conley (Pro Hac Vice)
 Email: rconley@nshn.com
 8 Oliver D. Yang (Pro Hac Vice)
 Email: oyang@nshn.com
 9 181 West Madison, Suite 4600
 Chicago, IL 60602-4515
 10 Phone: (312) 236-0733/Fax: (312) 236-3137

Attorneys for Plaintiff
Bluestone Innovations Texas, L.L.C.

12 DICKSTEIN SHAPIRO LLP
 Krista M. Carter
 13 Email: carterk@dicksteinshapiro.com
 700 Hansen Way
 14 Palo Alto, CA 94304
 Telephone: 650-690-9544
 15 Facsimile: 650-690-9501
Attorneys for Defendant
Formosa Epitaxy, Inc.

17 IN THE UNITED STATES DISTRICT COURT
 18 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

19 BLUESTONE INNOVATIONS TEXAS,
 L.L.C.,
 20
 Plaintiff,
 21
 v.
 22 FORMOSA EPITAXY INC; et al.,
 23
 Defendants.

Case No. 3:12-cv-00059-JW
 Honorable James Ware

**STIPULATION AND [PROPOSED]
 ORDER RE DISMISSAL OF
 DEFENDANT FORMOSA EPITAXY,
 INC.**

1 Plaintiff Bluestone Innovations Texas, L.L.C. and Defendant Formosa Epitaxy, Inc. by
2 and through their undersigned counsel, and subject to the approval of the Court, hereby stipulate
3 that all claims between them in this action be dismissed without prejudice under Fed. R. Civ. P.
4 41(a) and pursuant to the terms of a confidential agreement, with each party to bear its own
5 costs, expenses and attorneys' fees.
6

7 IT IS SO STIPULATED.

8 August 22, 2012

9 NIRO, HALLER & NIRO
10 DAVIS WRIGHT TREMAINE LLP

11 By: /s/ David J. Mahalek
12 DAVID J. MAHALEK
13 Attorney for Plaintiff
14 Bluestone Innovations Texas, L.L.C.

15 August 22, 2012

16 By: /s/ Krista M. Carter
17 KRISTA M. CARTER
18 Attorney for Formosa Epitaxy, Inc.
19
20
21
22
23
24

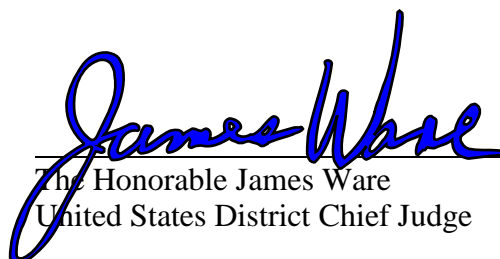
1
2 **[PROPOSED] ORDER**

3 Based on the foregoing Stipulation Re Dismissal of all claims asserted between Plaintiff
4 Bluestone Innovations Texas, L.L.C. and Defendant Formosa Epitaxy, Inc. in this case, and good
5 cause appearing,

6 IT IS HEREBY ORDERED that all claims asserted in this suit between Plaintiff
7 Bluestone Innovations Texas, L.L.C. and Defendant Formosa Epitaxy, Inc. are hereby dismissed
8 without prejudice under Fed. R. Civ. P. 41(a) and pursuant to the terms of a confidential
9 agreement. It is further ORDERED that all costs, expenses and attorneys' fees are to be borne
10 by the party that incurred them.

11 IT IS SO ORDERED.

12 Dated: August 22, 2012.

13
14 
15 The Honorable James Ware
16 United States District Chief Judge
17
18
19
20
21
22
23
24