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COUNSEL LISTED ON FOLLOWING PAGE

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

K. OLIVER,

Plaintiff/Appellant,

vs.

MICROSOFT CORPORATION AND
DOES 1-25, INCLUSIVE,

Defendants/Appellees.

Case No.: CV 12-0943 RS

**STIPULATION RE: SATISFACTION OF AWARD
OF COSTS AND ~~PROPOSED~~ ORDER**

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Attorneys for Plaintiff
K. OLIVER

1 Pursuant to Federal Rule of Civil Procedure Rule 60, Plaintiff K. Oliver and
2 Defendant Microsoft Corporation, through their designated counsel, hereby stipulate as follows:

3 WHEREAS the Court granted Microsoft Corporation's Motion for Summary
4 Judgment on August 5, 2013, and judgment was entered the same day.

5 WHEREAS Defendant filed its Bill of Costs on August 19, 2013.

6 WHEREAS the Clerk's Order Taxing Costs was entered on September 6, 2013.

7 WHEREAS Plaintiff filed a Motion to Review the Clerk's Order Taxing Costs on
8 September 13, 2013.

9 WHEREAS the Court took under consideration Plaintiff's Motion to Review the
10 Clerk's Order Taxing Costs without oral argument and, to date, has not issued a ruling on
11 Plaintiff's Motion to Review the Clerk's Order Taxing Costs.

12 WHEREAS the Parties agree that Plaintiff has fully and finally satisfied the award of
13 costs issued in Defendant's favor by the Clerk of the Court on September 6, 2013.

14 NOW THEREFORE, IT IS AGREED AS FOLLOWS:

- 15 1. Plaintiff's Motion to Review the Clerk's Order Taxing Costs is withdrawn; and
16 2. Plaintiff has fully and finally satisfied the award of costs issued by the Clerk of the
17 Court in this matter.

18 Dated: December 18, 2013

19 LYNNE C. HERMLE
20 JESSICA R. PERRY
21 KRISTEN M. JACOBY
22 ORRICK, HERRINGTON & SUTCLIFFE LLP

23 /s/ Lynne C. Hermle
24 Lynne C. Hermle
25 Attorneys for Defendant Microsoft Corporation

26 Dated: December 18, 2013

27 KATHLEEN M. LUCAS
28 SHAWNA B. CASEBIER
THE LUCAS LAW FIRM

 /s/ Kathleen M. Lucas
Kathleen M. Lucas
Attorneys for Plaintiff K. Oliver

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

1. Plaintiff's Motion to Review the Clerk's Order Taxing Costs is withdrawn; and
2. Plaintiff has fully and finally satisfied the award of costs issued by the Clerk of the

Court in this matter.

Dated: 12/19/13



The Honorable Richard Seeborg
United States District Court Judge