

1 NANCY HERSH (SBN 49091)
 nhersh@hershlaw.com
 2 A Professional Corporation
 601 Van Ness Avenue, Suite 2080
 3 San Francisco, CA 94102-6316
 Telephone: (415) 441-5544
 4 Fax: (415) 441-7586

5 Attorneys for Plaintiff
 DOUGLAS KUCHARCZYK :

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 7 **UNITED STATES DISTRICT COURT**
 8 **NORTHERN DISTRICT OF CALIFORNIA**
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10 DOUGLAS KUCHARCZYK,	}	Case No.: 12-CV-03760-JSW
11 Plaintiff,	}	STIPULATION OF DISMISSAL WITHOUT PREJUDICE
12 v.	}	
13 INTUITIVE SURGICAL, INC.,	}	
14 Defendant.	}	

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 16 Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff Douglas
 17 Kucharczyk and Defendant Intuitive Surgical, Inc., through undersigned counsel, hereby stipulate
 18 to dismiss this matter and all claims, without prejudice, with each party to bear its own costs
 19 subject to Plaintiff's agreement that any re-filing of any claims against Defendant Intuitive Surgical
 20 Inc. will only be in the United States District Court for the Northern District of California and only
 21 in the form of a single Plaintiff-family Complaint.

22 DATED: October 11, 2013

23 HERSH & HERSH
 24 A Professional Corporation

25
 26 By /s/ Nancy Hersh _____
 Nancy Hersh
 27 Attorneys for Plaintiff
 28

1 DATED: October 11, 2013

SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP & AFFILIATES

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4 By /s/ Allen Ruby
Allen J. Ruby
5 Attorneys for Defendant

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9 IT IS SO ORDERED.

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11 DATED: October 15,


JEFFREY S. WHITE, Judge
United States District Court

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16 I, Nancy Hersh, am the ECF User whose ID and password are being used to file the
17 STIPULATION OF DISMISSAL. In compliance with General Order 45, X.B., I attest that the
signatories to this document have concurred in this filing.

18 Dated: October 11, 2013

/s/ Nancy Hersh

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