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14 *Attorneys for Defendant*
 Apple Inc.

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA

20 H-W TECHNOLOGY, L.C.,
 Plaintiff,
 21
 22 v.
 23 APPLE INC.,
 Defendant.

Case No. C 12-04045 JCS

**STIPULATION OF DISMISSAL
 PURSUANT TO FRCP 41 AND
 [PROPOSED] ORDER**

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Pursuant to Fed. R. Civ. P. 41(a)(2) and (c), Plaintiff H-W Technology L.C. (“H-W”) and Defendant Apple Inc. (“Apple”), hereby move for an order dismissing all claims brought by H-W in this action WITH PREJUDICE, and dismissing all counterclaims brought by Apple in this action WITHOUT PREJUDICE. Each party will bear its own costs, expenses and attorneys’ fees.

IT IS SO STIPULATED AND AGREED.

Dated: August 22, 2012

NAVARRO HUFF, PLLC

By: /s/ Winston O. Huff
Winston O. Huff

Attorneys for Plaintiff
H-W TECHNOLOGY, L.C.

Dated: August 22, 2012

SIMPSON THACHER & BARTLETT LLP

By: /s/ Patrick E. King
Patrick E. King

Attorneys for Defendant
APPLE INC.

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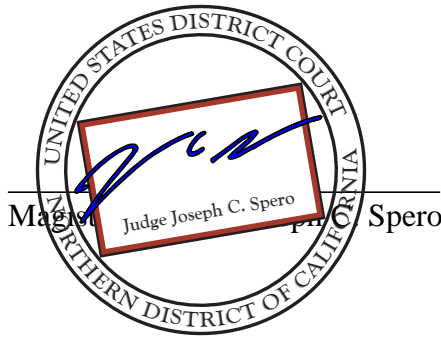
[PROPOSED] ORDER

On this day, Plaintiff H-W Technology and Defendant Apple Inc., announced to the Court that they have settled their respective claims for relief asserted in this cause. The Court, having considered this request, is of the opinion that their request for dismissal should be granted.

IT IS THEREFORE ORDERED that all claims for relief asserted against Apple Inc. by H-W Technology herein are dismissed, with prejudice, and all counterclaims for relief against H-W Technology by Apple Inc. are dismissed without prejudice; and

IT IS FURTHER ORDERED that all attorneys' fees, costs of court and expenses shall be borne by each party incurring the same.

Dated: August 28, 2012



1 **CERTIFICATE OF SERVICE**

2 I am employed in Santa Clara County. I am over 18 years of age and not a party to this
3 action. My business address is 2550 Hanover Street, Palo Alto, California 94304. On August 22,
4 2012, I served true copies of the following document:

5 **STIPULATION OF DISMISSAL PURSUANT TO FRCP 41 AND [PROPOSED]**
6 **ORDER**

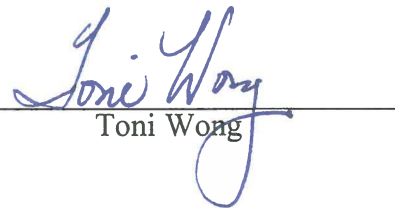
7 **BY ELECTRONIC MAIL:** I served said document via Electronic Mail
8 upon the below-named counsel of record for Plaintiff H-W Technology,
L.C.:

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23 I declare under penalty of perjury under the laws of the United States of America that the
24 foregoing is true and correct.

25 Executed on August 22, 2012, in Palo Alto, California.

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Toni Wong

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ECF FILER'S ATTESTATION

I, Patrick E. King, as the e-filing signatory, attest that concurrence in filing this document has been obtained from Winston O. Huff. In accordance with General Order 45, Section X(B), I shall maintain a record of the original signatures to support this concurrence for subsequent production for the Court if so ordered or for inspection upon request by a party until one year after final resolution of the action.

Dated: August 22, 2012

By /s/ Patrick E. King
Patrick E. King