

1 John J. Edmonds (State Bar No. 274200)  
 jedmonds@cepiplaw.com  
 2 Andrew P. Tower (pro hac vice)  
 atower@cepiplaw.com  
 3 COLLINS EDMONDS POGORZELSKI  
 SCHLATHER & TOWER, PLLC  
 4 1851 East First Street, Suite 900  
 5 Santa Ana, California 92705  
 Telephone: (951) 708-1237  
 6 Facsimile: (951) 824-7901

7 *Attorneys for Plaintiff,*  
 8 *3CX, LTD.*

9 Jonathan D. Baker (Cal Bar No. 196062)  
 FARNEY DANIELS, P.C.  
 10 411 Borel Ave., Suite 350  
 11 San Mateo, California 94402  
 Telephone: (424) 268-5210  
 12 Facsimile: (424) 268-5219  
 E-Mail: JBaker@farneydaniels.com

13 *Attorneys for Defendant*  
 14 *Brandywine Communications Technologies LLC*

15  
 16 **UNITED STATES DISTRICT COURT**  
 17 **NORTHERN DISTRICT OF CALIFORNIA**  
 18 **SAN FRANCISCO DIVISION**

19	)	
20	)	
21	)	Case No. 3:12-cv-04729-RS
22	)	
23	)	<b>STIPULATION AND <del>[PROPOSED]</del></b>
24	)	<b>ORDER OF DISMISSAL</b>
25	)	
26	)	
27	)	
28	)	

3CX, LTD. )  
 Plaintiff(s), )  
 vs. )  
 BRANDYWIND COMMUNICATIONS )  
 TECHNOLOGIES, LLC, )  
 Defendant(s). )

1           WHEREAS, Plaintiff 3CX, Ltd. and Defendant Brandywine Communications  
2 Technologies, LLC have settled this matter on mutually-agreeable terms.

3           NOW, THEREFORE, on the basis of the settlement reached, pursuant to Federal Rule of  
4 Civil Procedure 41(a)(1)(A)(ii), IT IS HEREBY STIPULATED AND AGREED, by and  
5 between the parties, through their undersigned counsel of record, that:

6           The parties hereby dismiss all claims and counterclaims between them in this matter with  
7 prejudice.

8           Each party shall bear its own costs and attorneys' fees.

9  
10 Dated: May 15, 2013

/s/ Andrew P. Tower

Attorneys for Plaintiff 3CX, Ltd.

11  
12  
13 Dated: May 15, 2013

/s/ Jonathan D. Baker

Attorneys for Defendant Brandywine  
Communications Technologies, LLC

14  
15  
16 Filer's Attestation

17 I, Andrew P. Tower, am the ECF user whose identification and password are being used to file  
18 this STIPULATION AND [PROPOSED] ORDER OF DISMISSAL. In compliance with  
19 General Order 45.X.B., I hereby attest that the above-named signatories concur in this filing.

20  
21 Dated: May 15, 2013

/s/ Andrew P. Tower

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IT IS SO ORDERED.

Dated: 5/20/13



---

HON. RICHARD SEEBORG  
UNITED STATES DISTRICT COURT JUDGE